

# Public Document Pack



To: Councillor Boulton, Convener; and Councillors Cameron, Lesley Dunbar, Grant, Greig, McLellan and Townson.

Town House,  
ABERDEEN 21 January 2020

## LICENSING BOARD

The Members of the **LICENSING BOARD** are requested to meet in **Committee Room 2 - Town House** on **TUESDAY, 28 JANUARY 2020 at 10.30 am.**

JENNI LAWSON  
CLERK TO THE BOARD

### BUSINESS

- 1 Minute of Meeting of 10 September 2019 (Pages 5 - 14)
- 2 Minute of Meeting of 5 November 2019 (Pages 15 - 22)
- 3 List of Applications
  - 3.1 Application for Provisional Premises Licence - Tesco Express, 43 - 45 Union Street (Pages 23 - 56)
  - 3.2 Application for Premises Licence - 73/75 Victoria Road, Aberdeen (Pages 57 - 82)
  - 3.3 Application for Premises Licence - Royal Bank of Scotland, 2 Marischal Square, Aberdeen (Pages 83 - 106)
  - 3.4 Application for Premises Licence - The House of Botanicals, Arch 4, Palmerston Road, Aberdeen (Pages 107 - 122)

- 3.5 Application for Variation of Premises Licence - Brunswick Stores, 20 Beach Boulevard, Aberdeen (Pages 123 - 138)
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- 3.8 Application for Variation of Premises Licence - The Tunnels, Carnegies Brae, Aberdeen (Pages 195 - 208)
- 4 Premises Licence Review Hearings
  - 4.1 Premises Licence - Ambal's Restaurant, 4 Bridge Street, Aberdeen (Pages 209 - 212)
  - 4.2 Premises Licence - Jimmy Chung's Restaurant, Beach Esplanade, Aberdeen (Pages 213 - 214)
- 5 Application for Personal Licence - Application A (Pages 215 - 218)
- 6 Application for Personal Licence - Application B (Pages 219 - 222)
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- 8 Report of conduct inconsistent with Licensing Objectives - Personal Licence Holder A (Pages 227 - 230)
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- 12 Report of conduct inconsistent with Licensing Objectives - Personal Licence Holder E (Pages 245 - 248)
- 13 General Extension (Pages 249 - 254)

14 Forum Update

15 LSO Update

Should you require any further information about this agenda, please contact Benedict  
Kpohraror [Bkpohraror@aberdeencity.gov.uk](mailto:Bkpohraror@aberdeencity.gov.uk) 522464

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## LICENSING BOARD

ABERDEEN, 10 September 2019. Minute of meeting of the LICENSING BOARD.  
Present: Councillor Boulton, Convener and Councillors Cameron, Donnelly, Lesley Dunbar, Grant, Greig, John, McLellan and Townson.

### MINUTE OF MEETING OF 3 JULY 2019

1. The Board had before it for its consideration the minutes of meeting of 3 July 2019.

**The Board resolved: -**

To approve the minute.

### LIST OF APPLICATIONS

2. The Board had before it, for its consideration, the applications as listed in 3 – 20

#### **APPLICATION FOR VARIATION OF PREMISES LICENCE - BALMORAL STADIUM, ALTENS, NIGG, ABERDEEN**

3. The Board heard from Alexander Munro, Depute Clerk to the Board that the Police representations received in connection with the application had been withdrawn and the applicant had accepted the local condition for the external areas. Tony Dawson, Solicitor, confirmed that this had been accepted.

**The Board Resolved:**

To grant the application subject to the local condition relating to the external area.

#### **APPLICATION FOR VARIATION OF PREMISES LICENCE - BLACK DOG, 27 NORTH DONSDIE ROAD, ABERDEEN**

4. The Board heard from Alexander Munro, Depute Clerk to the Board that the representation and objection received in connection with the application had been withdrawn as the applicant had amended the application to address the concerns raised. This was confirmed by Eilidh McGuire, Solicitor for applicant.

**The Board Resolved:**

To grant the application as amended.

**LICENSING BOARD**

10 September 2019

**APPLICATION FOR VARIATION OF PREMISES LICENCE - BUTCHERS ARMS - 443 GEORGE STREET, ABERDEEN**

5. The Board had before them a letter of representation dated 12 August 2019 from Police Scotland and an email of objection dated 12 August 2019 from a member of the public.

The Board heard from Alexander Munro, Depute Clerk to the Board that the Police representation had been withdrawn prior to the Board meeting as the applicant had addressed the concerns raised. The objector or any representative did not attend despite being sent an invite dated 26 August 2019.

The Board thereafter heard from Eloise Robb, Solicitor, that the recommendations from Police Scotland, Building Standards, Environmental Health and the LSO had been accepted.

**The Board Resolved:**

To grant the application.

**APPLICATION FOR VARIATION OF PREMISES LICENCE - CARLTON BAR, 32 CASTLE STREET, ABERDEEN**

6. The Board heard from Mr Alexander Munro, Depute Clerk to the Board that there had been no objections or representations received in connections with the application.

**The Board Resolved:**

To grant the application.

**APPLICATION FOR VARIATION OF PREMISES LICENCE - CENTRAL BAR, 419 GREAT NORTHERN ROAD, ABERDEEN**

7. The Board had before them a letter of representation dated 19 August 2019 from Police Scotland.

The Board heard from Alexander Munro, Depute Clerk that there had also been a representation from the LSO after the Board agenda had been published but that both representations had been withdrawn after the applicant had amended the Operating Plan to address the concerns.

**The Board Resolved:**

To grant application as amended.

**LICENSING BOARD**

10 September 2019

**APPLICATION FOR VARIATION OF PREMISES LICENCE - CINNAMON CLUB, 476 UNION STREET, ABERDEEN**

8. The Board heard from Alexander Munro, Depute Clerk to the Board that the representations received in connection with the application had been withdrawn as the applicant had amended the application to address the concerns raised.

The Board thereafter heard from Taranath Bhattari, applicant.

**The Board Resolved:**

To grant application as amended.

**APPLICATION FOR VARIATION OF PREMISES LICENCE - JAMIE'S ITALIAN, GROUND AND FIRST FLOOR, 38 UNION STREET, ABERDEEN**

9. The Board heard from Alexander Munro, Depute Clerk to the Board that the representation from Police Scotland received in connection with the application had been withdrawn, however due to the terminal hour of 03:00 as per the Board's policy the applicant would be required to justify the need for those hours.

The Board heard from Theresa Hunt, Solicitor, in support of the application.

**The Board resolved: -**

To grant the application.

**APPLICATION FOR VARIATION OF PREMISES LICENCE - MARKS & SPENCER SIMPLY FOOD, UNIT 2, BRIDGE OF DON RETAIL PARK, ABERDEEN**

10. The Board heard from Mr Alexander Munro, Depute Clerk to the Board that there had been no objections or representations received in connection with the application.

**The Board Resolved:**

To grant the application.

**APPLICATION FOR VARIATION OF PREMISES LICENCE - MELT, 11/13 BELMONT STREET, ABERDEEN**

11. The Board heard from Alexander Munro, Depute Clerk to the Board that the representation received from Police Scotland had been withdrawn as the application had been amended to address the concerns raised.

**The Board Resolved:**

To grant the application.

**LICENSING BOARD**  
10 September 2019

**APPLICATION FOR VARIATION OF PREMISES LICENCE - NOOSE AND MONKEY, 31 - 36 ROSEMOUNT VIADUCT, ABERDEEN**

12. Councillor Cameron declared an interested, left the meeting and took no part in the determination of the application.

The Board had before them a letter of representation from Police Scotland dated 13 August 2019 and emails of objections from two members of the public dated 29 July 2019 and 19 August 2019.

The Board heard from Alexander Munro, Depute Clerk to the Board that the representation from Police Scotland had been withdrawn and that one of the objectors had advised that he was unable to attend the Board due to other commitments.

The Board heard from the applicant and the objector present.

**The Board Resolved:**

To grant the application subject to amending 6(b) of the operating plan to 'Young persons are permitted unaccompanied access until 23:00 when participating in an age appropriate performance or show'.

**APPLICATION FOR VARIATION OF PREMISES LICENCE - PROHIBITION, 31 LANGSTANE PLACE, ABERDEEN**

13. The Board heard from Mr Alexander Munro, Depute Clerk to the Board that there had been no objections or representations received in connections with the application.

**The Board Resolved:**

To grant the application.

**APPLICATION FOR VARIATION OF PREMISES LICENCE - SAINSBURY, 54 GUILD STREET, ABERDEEN**

14. The Board heard from Mr Alexander Munro, Depute Clerk to the Board that there had been no objections or representations received in connections with the application.

**The Board Resolved:**

To grant the application.



**LICENSING BOARD**

10 September 2019

**APPLICATION FOR VARIATION OF PREMISES LICENCE - ST MACHAR BAR, 97 HIGH STREET, ABERDEEN**

15. The Board heard from Alexander Munro, Depute Clerk to the Board that the representation and objection received in connection with the application had been withdrawn as the applicant had accepted the local condition for the external areas.

**The Board Resolved:**

To grant the application subject to the local condition relating to the external areas.

**APPLICATION FOR VARIATION OF PREMISES LICENCE - THE ARCHIBALD SIMPSON, 5 CASTLE STREET, ABERDEEN**

16. The Board heard from Mr Alexander Munro, Depute Clerk to the Board that there had been no objections or representations received in connections with the application.

**The Board Resolved:**

To grant the application.

**APPLICATION FOR VARIATION OF PREMISES LICENCE - THE FOUNDRY, 43 HOLBURN STREET, ABERDEEN**

17. The Board heard from Mr Alexander Munro, Depute Clerk to the Board that there had been no objections or representations received in connections with the application.

**The Board Resolved:**

To grant the application.

**APPLICATION FOR VARIATION OF PREMISES LICENCE - THE JUSTICE MILL, 425 UNION STREET, ABERDEEN**

18. The Board heard from Mr Alexander Munro, Legal advisor, that there had been no objections or representations received in connections with the application.

**The Board Resolved:**

To grant the application.

**APPLICATION FOR VARIATION OF PREMISES LICENCE - TWO TEN BISTRO, 210 MARKET STREET, ABERDEEN**

19. Councillor Dunbar declared an interested, left the meeting and took no part in the determination of the application.

**LICENSING BOARD**

10 September 2019

The Board had before them a letter of representation dated 12 August 2019 from Police Scotland and an email of objection dated 15 August 2019 from a member of the public.

The Board heard from Alexander Munro, Depute Clerk to the Board that the Police representation had been withdrawn prior to the Board meeting as the applicant had addressed the concerns raised. The objector did not attend and was not represented despite being sent an invite dated 26 August 2019.

The Board thereafter heard from Tony Dawson, Solicitor for applicant.

**The Board Resolved:**

To grant the application.

**APPLICATION FOR VARIATION OF PREMISES LICENCE - VICTORIA BAR, 1 MENZES ROAD**

20. The Board had before them a letter of objection dated 12 August 2019 from a member of the public.

The Board heard from Mr Alexander Munro, Depute Clerk to the Board, that the application was deferred from July Board meeting as there had been insufficient time to invite the objector to be heard. The Board also heard from Mr Alexander Munro that invite letters dated 4 July 2019 were sent to the applicant and objector to attend the September Board meeting.

Neither the applicant nor objector were in attendance.

**The Board Resolved:**

To grant the application.

**APPLICATION FOR PERSONAL LICENCE - APPLICATION A**

21. The Board had before them a letter dated 24 July 2019 from Police Scotland.

The Board heard from Police Scotland and the Applicant.

**The Board Resolved:**

To grant the licence.

**LICENSING BOARD**  
10 September 2019

**APPLICATION FOR PERSONAL LICENCE - APPLICATION B**

22. The Board had before them a letter dated 30 August 2019 from Police Scotland.

The Board heard from Police Scotland and the Applicant.

**The Board Resolved:**

To grant the licence.

**APPLICATION FOR PERSONAL LICENCE - APPLICATION C**

23. The Board had before them a letter dated 10 July 2019 from Police Scotland.

The Board heard from Alexander Munro, Depute Clerk to the Board that the applicant had withdrawn the application prior to the Board meeting.

**APPLICATION FOR PERSONAL LICENCE - APPLICATION D**

24. The Board had before them a letter dated 10 July 2019 from Police Scotland.

The Board heard from Police Scotland and the Applicant.

**The Board Resolved:**

To grant the licence

**REPORT OF CONDUCT INCONSISTENT WITH LICENSING OBJECTIVES - PERSONAL LICENCE HOLDER A**

25. The Board had before them a letter dated 10 July 2019 from Police Scotland.

The Board heard from Alexander Munro, Depute Clerk to the Board that an email was received from applicant advising that he was unable to attend the Board due to work commitment.

**The Board Resolved:**

To defer the application to its next meeting to be held 5 November 2019.

**ANNUAL REPORT - CHIEF CONSTABLE**

26. The Board received updates from Police Scotland regarding progress on their commitment in supporting the Licensing objectives.

**LICENSING BOARD**  
10 September 2019

**LICENSING FORUM**

27. The Board heard a brief update from Alexander Munro, Depute Clerk to the Board regarding the Joint Meeting of the Board and Licensing Forum.

**LSO UPDATE**

28. The Board was advised that there was no update for this meeting.

**MARIE BOULTON** – Convener

**LICENSING BOARD**  
10 September 2019

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## LICENSING BOARD

ABERDEEN, 5 November 2019. Minute of meeting of the LICENSING BOARD.  
Present: Councillor Boulton, Convener; and Councillors Cameron, Donnelly, Grant, Greig, McLellan and Townson.

### MINUTE OF MEETING OF 10 SEPTEMBER 2019

1.

#### LIST OF APPLICATIONS

2. The Board had before it, for its consideration, the applications as listed in 3 - 11

#### APPLICATION FOR PROVISIONAL PREMISES LICENCE - 104/106 ROSEMOUNT PLACE

3. **Minutes:**

The Board heard from Mr Alexander Munro, Depute Clerk to the Board that there had been no objections or representations received in connections with the application.

#### **The Board Resolved:**

To grant the application.

#### APPLICATION FOR PREMISES LICENCE - HAAR ROCK COFFEE, 81 CHARLESTON ROAD NORTH, COVE, ABERDEEN

4. **Minutes:**

The Board had before them an email of objection from a member of the public dated 15 October 2019.

The Board heard from Alexander Munro, Depute Clerk to the Board that an email was received from the objector that she was unable to attend the Board due to work commitment.

The Board thereafter heard from Anthony Dawson, Solicitor the measures that have been taken to address the concerns raised by the objector. It was agreed that the terminal hour for the external area to be 20:00.

#### **The Board Resolved:**

To grant the application subject to the local conditions relating to external area.

**LICENSING BOARD**

5 November 2019

**APPLICATION FOR PREMISES LICENCE - MEET THE MEAT LIMITED, 79 CHARLESTON ROAD, COVE, ABERDEEN**

**5. Minutes:**

The Board heard from Mr Alexander Munro, Depute Clerk to the Board that there had been no objections or representations received in connections with the application.

**The Board Resolved:**

To grant the application.

**APPLICATION FOR PREMISES LICENCE - ROHAAN CAFE BAR, ZARA HOUSE, BURNSIDE DRIVE, DYCE, ABERDEEN**

**6. Minutes:**

The Board heard from Mr Alexander Munro, Depute Clerk to the Board that there had been no objections or representations received in connections with the application.

**The Board Resolved:**

To grant the application subject to the local conditions relating to external area.

**APPLICATION FOR VARIATION OF PREMISES LICENCE - MILL OF MUNDURNO, MURCAR, BRIDGE OF DON, ABERDEEN**

**7. Minutes:**

The Board heard from Mr Alexander Munro, Depute Clerk to the Board that there had been no objections or representations received in connections with the application.

**The Board Resolved:**

To grant the application subject to the local conditions relating to external area.

**APPLICATION FOR VARIATION OF PREMISES LICENCE - NUMBER 1, 1 QUEENS TERRACE, ABERDEEN**

**8. Minutes:**

The Board had before them letter of representation dated 24 October 2019 and an email of representation dated 25 October 2019 from two members of the public.

The Board heard from Alexander Munro, Depute Clerk to the Board that one of the members of the public did not attend despite being sent an invite dated 28 October 2019.



**LICENSING BOARD**

5 November 2019

The Board thereafter heard from Eloise Robb, Solicitor and the member of the public present.

**The Board Resolved:**

To grant application subject to the local conditions relating to external area.

**APPLICATION FOR VARIATION OF PREMISES LICENCE - THE ABERDEEN MARRIOTT HOTEL, OVERTON CIRCLE, DYCE, ABERDEEN****9. Minutes:**

The Board had before them a letter of representation from the Police Scotland dated 22 October 2019.

The Board heard from Alexander Munro, Depute Clerk to the Board that the representation received from Police Scotland had been withdrawn as the application had been amended to address the concerns raised.

**The Board resolved:**

To grant the application.

**APPLICATION FOR VARIATION OF PREMISES LICENCE - THE OLD BANK BAR, 220 NORTH DEESIDE ROAD, PETERCULTER, ABERDEEN****10. Minutes:**

The Board had before them an email of objection dated 7 October 2019 and a letter of objection dated 22 October 2019 from two members of the public.

The Board heard from Mr Alexander Munro, Depute Clerk to the Board that the objectors did not attend despite being sent an invite dated 24 October 2019.

The Board thereafter heard from the applicant in support of the application.

**The Board Resolved:**

To grant the application.

**LICENSING BOARD**  
5 November 2019

**APPLICATION FOR VARIATION OF PREMISES LICENCE - TURKISH KITCHEN BAR & GRILL, UNIT 1, SEA BEACH ESPLANADE, ABERDEEN**

**11. Minutes:**

The Board heard from Mr Alexander Munro, Depute Clerk to the Board that there had been no objections or representations received in connections with the application. The Board also heard from Mr Alexander Munro, that the applicant had amended the terminal hour on Sunday to Thursday on the operating plan to be 00:00 to meet the requirement for premises outwith the City Centre as provided by the Statement of Licensing Policy.

**The Board Resolved:**

To grant the application subject to the local conditions relating to external area.

**APPLICATION FOR PERSONAL LICENCE - APPLICATION A**

**12. Minutes:**

The Board had before them a letter dated 25 September 2019 from Police Scotland.

The Board heard from Mr Alexander Munro, Depute Clerk to the Board that the applicant did not attend despite being sent an invite dated 22 October 2019.

**The Board Resolved:**

To defer the application to its next meeting to be held 28 January 2020.

**APPLICATION FOR PERSONAL LICENCE - APPLICATION B**

**13. Minutes:**

The Board had before them a letter dated 9 July 2019 from Police Scotland.

The Board heard from Police Scotland and the Applicant.

**The Board Resolved:**

To refuse the application.

**LICENSING BOARD**  
5 November 2019

**REPORT OF CONDUCT INCONSISTENT WITH LICENSING OBJECTIVES -  
PERSONAL LICENSE HOLDER A**

**14. Minutes:**

The Board had before them a letter dated 10 July 2019 from Police Scotland.

The Board heard from Alexander Munro, Depute Clerk to the Board that the report was deferred from July Board meeting as the applicant had been unable to attend due to work commitment. The Board also heard from Mr Alexander Munro that the Personal Licence Holder did not attend despite being sent invite and reminder letters dated 18 September 2019 and 22 October 2019 to attend the November 2019 Board meeting.

Councillor Donnelly moved a motion to defer consideration of the hearing to a further meeting so that the applicant could make a personal appearance.

Councillor Cameron moved as an amendment for the hearing to be held in the absence of the Personal Licence Holder.

On a division there voted: - for the motion (2) Councillors; Donnelly and Greig; and for the amendment (5) The Convener and Councillors; Cameron, Grant, McLellan and Townson.

The Board adopted the amendment.

Cllr Cameron then moved to revoke the licence. There being no amendment proposed the motion carried.

**The Board Resolved:**

To revoke the licence.

**REPORT OF CONDUCT INCONSISTENT WITH LICENSING BOARD - PERSONAL  
LICENSE HOLDER B**

**15. Minutes:**

The Board had before them a letter dated 2 October 2019 from Police Scotland.

The Board heard from Mr Alexander Munro, Depute Clerk to the Board that the Personal Licence Holder did not attend despite being sent an invite dated 22 October 2019.

**The Board Resolved:**

To defer the application to its next meeting to be held 28 January 2020.

**LICENSING BOARD**

5 November 2019

**INVITATION TO THE BOARD FROM POLICE SCOTLAND TO CARRY OUT MIDNIGHT LICENSING PATROL VISITS DURING THE FESTIVE PERIOD**

**16.**

The Board members agreed to collaborate with Police Scotland to carry out midnight Licensing Patrol Visits during the festive period in December 2019.

**LICENSING FORUM**

17. The Board were advised that there was no update for this meeting.

**LSO UPDATE**

18. The Board heard a brief update from Diane Sande, LSO regarding the Licensing Standards collaboration with Police Scotland to hold a conference with the view of promoting public awareness regarding the provisions of the Statement of the Licensing Policy and other related issues.

**LICENSING BOARD**  
5 November 2019

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## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** PROVISIONAL PREMISES LICENCE  
**PREMISES:** TESCO EXPRESS, 43-45 UNION STREET, ABERDEEN

### BACKGROUND

- Off sales consumption offering retail services.

### OBJECTIONS/REPRESENTATIONS

- Member of the Public

### POLICY

The Board has devised a number of local conditions which may be attached to premises licences.

1. The following condition will be attached to all off-consumption premises licences unless there is cause shown why this should not be the case:

#### CCTV

The licence holder shall provide sufficient internal and external CCTV coverage of the premises to meet the current technical requirements of the Police Service of Scotland as detailed in Aberdeen City Licensing Board's Statement of Licensing Policy

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AC958

**ABERDEEN CITY LICENSING BOARD**  
**APPLICATION FOR ~~PREMISES LICENCE~~/PROVISIONAL PREMISES LICENCE\***

\*Delete as appropriate

Licensing (Scotland) Act 2005, section 20

APPLICANT INFORMATION Licensing (Scotland) Act 2005, section 20(1)

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**Question 1**

Name, Address and postcode of premises to be licensed.

Tesco Express  
43-45 Union Street  
Aberdeen  
AB11 5BN

**Question 2**

Particulars of applicant

2(a) Where applicant is an individual, provide full name, date and place of birth, and home address including postcode.

N/A

2(b) Where applicant is a partnership, please provide full name, and postal address of partnership.

N/A

2(c) Where applicant is a company, please provide name, registered office and company registration number.

PTLL Limited  
Tesco House, Shire Park, Kestrel Way, Welwyn Garden City, Hertfordshire AL7 1GA  
Company No. 08926930

2(d) Where applicant is a club or other body, please provide full name, and postal address of club or other body.

N/A

2(e) Where applicant is a partnership, company, club or other body, please provide the names, dates and places of birth, and home addresses of connected persons. \*

See attached sheet

\* Connected person is defined in section 147(3) of the Licensing (Scotland) Act 2005

For the text of section 147 (3) please go to [www.aberdeency.gov.uk/licensing](http://www.aberdeency.gov.uk/licensing)

**Question 3**

Previous applications

3. Has the applicant been refused a premises licence under section 23 of the Licensing (Scotland) Act 2005 in respect of the same premises? **YES/NO\***

\*If yes – provide full details

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**Question 4**

Previous convictions

4. Has the applicant or any connected person ever been convicted of a relevant or foreign offence (a)	<b>YES/NO*</b>
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\*if YES - provide full details

For the purpose of this Act, a conviction for a relevant offence or foreign offence is to be disregarded if it is spent for the purpose of the Rehabilitation of Offenders Act 1974

Name & position (if applicable)	Date of conviction or sentence	Court	Offence	Penalty

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(a) in addition to any conviction held by the applicant at the time of application, applicants should also familiarise themselves with the contents of section 24(1) of the Licensing (Scotland) Act 2005 in respect of any convictions for relevant or foreign offences which they may receive during the period beginning with the making of the premises licence application and ending with determination of the application

**DESCRIPTION OF PREMISES** Licensing (Scotland) Act 2005, section 20(2)(a)

**Question 5**

5. Description of premises (where application is submitted by a members' club, please also complete question 6)

Small supermarket, part of a national chain, retailing food, non-food items and other household goods and providing ancillary consumer services.

**Question 6**

6. To be completed by members' clubs only

Do the club's constitution and rules conform to the requirements of regulation 2 of the Licensing (Clubs) (Scotland) Regulations 2007?*	YES/NO*
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\*Delete as appropriate

\*\* for the text of Regulation 2 please go to [www.aberdeencity.gov.uk/licensing](http://www.aberdeencity.gov.uk/licensing)

**DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT**

If signing on behalf of the applicant please state in what capacity.

The contents of this Application are true to the best of my knowledge and belief.

Signature Frances Ennis ..... \* (see note below)  
F ENNIS for PINSENT MASONS LLP

Date 8 November 2019 .....

Capacity ..... APPLICANT/AGENT (delete as appropriate)

Telephone number and email address of signatory Tel: 0141 567 8635  
frances.ennis@pinsentmasons.com

Postal Address of Agent (if appropriate) Pinsent Masons LLP  
141 Bothwell Street  
Glasgow G2 7EQ

<b>I have enclosed the relevant documents with this application – please tick the relevant boxes</b>	
Operating plan	
Layout plan	
Planning certificate	
Building Standards certificate	
Food hygiene certificate	

**\* Data Protection Act 1998**

The information on this form may be held on an electronic public register which may be available to members of the public on request.

<b>For use by the Licensing Board only</b>	
<b>Application checklist</b>	
Date received	13.11.19
Fee amount	£160.00
Receipt number	L5210T 00987190
Received by (INITIALS)	
Consideration date	
Last date for consideration	
Date of initial hearing	
Date of any modification hearing	
Date granted/refused (delete as appropriate)	

<b>For use by the Licensing Board Only</b>	
<b>If application is for a premises licence</b>	
<b>Documents required</b>	
Operating plan	
Layout plan	
Planning certificate	
Building standards certificate	
Food hygiene certificate	

<b>For use by the Licensing Board Only</b>	
<b>If application is for a provisional premises licence</b>	
<b>Documents required</b>	
Provisional planning certificate	
Operating plan	
Layout plan	

## Register of Directors – PTL Limited

<b>Name</b>	<b>Address</b>	<b>Date/Place of Birth</b>	<b>Position</b>
David Alexander Reddoch Berry	1 Hogback Wood Road Beaconsfield, Bucks HP9 1JR	3 <sup>rd</sup> June 1972; Southampton	Director
Robert John Welch	18 Southwood Lawn Road Highgate, London N6 5SF	6 <sup>th</sup> June 1966; Coventry	Director
Tesco Services Limited	Tesco House, Shire Park, Kestrel Way, Welwyn Garden City, Hertfordshire, AL7 1GA	N/A	Director

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## OPERATING PLAN

Licensing (Scotland) Act 2005, section 20(2)(b)(i)

### Question 1

STATEMENT REGARDING ALCOHOL BEING SOLD ON PREMISES/OFF PREMISES OR BOTH

1(a) Will alcohol be sold for consumption solely ON the premises?	YES/NO*
1(b) Will alcohol be sold for consumption solely OFF the premises?	YES/NO*
1(c) Will alcohol be sold for consumption both ON and OFF the Premises?	YES/NO*
*Delete as appropriate	

### Question 2

STATEMENT OF CORE TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION ON PREMISES.

Day	ON Consumption	
	Opening time	Terminal Hours
Monday	N/A	N/A
Tuesday	N/A	N/A
Wednesday	N/A	N/A
Thursday	N/A	N/A
Friday	N/A	N/A
Saturday	N/A	N/A
Sunday	N/A	N/A

**Question 3**

STATEMENT OF CORE TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION OFF PREMISES.

Day	OFF Consumption	
	Opening time	Terminal Hours
Monday	10.00	22.00
Tuesday	10.00	22.00
Wednesday	10.00	22.00
Thursday	10.00	22.00
Friday	10.00	22.00
Saturday	10.00	22.00
Sunday	10.00	22.00

**Question 4**

SEASONAL VARIATIONS

Does the applicant intend to operate according to seasonal demand	YES/NO*
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\*if YES – provide details

**Question 5**

PLEASE INDICATE THE OTHER ACTIVITIES OR SERVICES THAT WILL BE PROVIDED ON THE PREMISES IN ADDITION TO SUPPLY OF ALCOHOL.

<b>COL.1 5(a) Activity</b>	<b>COL.2 Please confirm YES/NO</b>	<b>COL.3 To be provided during core licensed hours – please confirm  YES/NO</b>	<b>COL.4 Where activities are also to be provided outwith core licensed hours please confirm  YES/NO</b>
Accommodation	NO	N/A	N/A
Conference facilities	NO	NO	NO
Restaurant facilities	NO	NO	NO
Bar meals	NO	NO	NO
<b>5 (b) Activity</b>	<b>Please confirm</b>	<b>To be provided</b>	<b>Where activities are</b>
<b>Social functions including:</b>	<b>YES/NO</b>	<b>during core licensed hours – please confirm  YES/NO</b>	<b>also to be provided outwith core licensed hours please confirm  YES/NO</b>
Receptions including Weddings, funerals, birthdays, retirements etc	NO	NO	NO
Club or other group meetings etc	NO	NO	NO
<b>5(c) Activity</b>	<b>Please confirm</b>	<b>To be provided</b>	<b>Where activities are</b>
<b>Entertainment including:</b>	<b>YES/NO</b>	<b>during core licensed hours – please confirm  YES/NO</b>	<b>also to be provided outwith core licensed hours please confirm  YES/NO</b>
Recorded music – see 5(g)	YES	YES	YES
Live performances – see 5(g)	NO	NO	NO
Dance facilities	NO	NO	NO
Theatre	NO	NO	NO

Films	NO	NO	NO
Gaming	NO	NO	NO
Indoor/outdoor sports	NO	NO	NO
Televised sport	NO	NO	NO
<b>5 (d) Activity</b>	<b>Please confirm YES/NO</b>	<b>To be provided during core licensed hours – please confirm</b>	<b>Where activities are also to be provided outwith core licensed hours please confirm</b>
		<b>YES/NO</b>	<b>YES/NO</b>
Outdoor drinking facilities	NO	NO	NO
<b>5 (e) Activity</b>	<b>Please confirm YES/NO</b>	<b>To be provided during core licensed hours – please confirm</b>	<b>Where activities are also to be provided outwith core licensed hours please confirm</b>
		<b>YES/NO</b>	<b>YES/NO</b>
Adult entertainment	NO	NO	NO

Where you have answered YES in respect of any entry in column 4, please provide further details below.

Recorded background music may be provided both during and outwith core licensed hours.
--

5 (f) any other activities

If you proposed to provide any activities other than those lists in 5 (a) – (e) please provide details or further information in the box below.

The sale of food, non-food items and other household goods and the provision of ancillary consumer services within and outwith licensed hours.
--

5 (g) Late night premises opening after 1.00am

Where you have confirmed that you are providing live or recorded music, will the decibel level exceed 85db?	YES/NO*
---	---------

When fully occupied, are there likely to be more customers standing than seated?	YES/NO*
--	---------

*Delete as appropriate	
------------------------	--

**Question 6 (On-Sales only)**

**CHILDREN AND YOUNG PERSONS**

6(a)	When alcohol is being sold for consumption on the premises will children or young persons be allowed entry?	YES/NO*
	*Delete as appropriate	

6(b) Where the answer to 6(a) is YES provide statement of the **TERMS** under which they will be allowed entry.

6 (c) Provide statement regarding the **AGES** of children or young persons to be allowed entry

6 (d) Provide statement regarding the **TIMES** during which children and young persons will be allowed entry.

6 (e) Provide statement regarding the **PARTS** of the premises to which children and young persons will be allowed entry.

**Question 7**

**CAPACITY OF PREMISES**

What is the proposed capacity of the premises to which this application relates?

Off-Sales - 30.184 square metres

**Question 8**

**PREMISES MANAGER (NOTE: not required where application is for grant of provisional premises licence)**

8 (a) Name

To be advised at confirmation of licence

8 (b) Date of birth

8 (c) Contact address

8 (d) Email address

8 (e) Personal licence

Date of issue	Name of Licensing Board issuing	Reference no. of personal licence

**DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICATION**

If signing on behalf of applicant please state in what capacity.

The contents of this operating plan are true to the best of my knowledge and belief.

Signature ..... *Frances Ennis* ..... \*(see note below)  
 F ENNIS for PINSENT MASONS LLP

Date . *8/11/19* .....

Capacity ..... APPLICANT/AGENT (delete as appropriate.)

Telephone number and email address of signatory *0141 567 8635* .....  
*frances.ennis@pinsentmasons.com*  
 .....

Postal Address of Agent (if appropriate) *Pinsent Masons LLP* .....  
 ..... *141 Bothwell Street* .....  
 ..... *Glasgow G2 7EQ* .....  
 .....

**\* Data Protection Act 1998**

The information on this form may be held on an electronic public register which may be available to members of the public on request.

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SOLICITORS  
AND ESTATE AGENTS

1 East Craibstone Street  
Aberdeen AB11 6YQ  
Tel: 01224 581581  
Fax: 01224 580119  
DX AB43 Aberdeen  
www.jgcollie.co.uk

**By Hand**  
Licensing Board  
Aberdeen City Council  
Legal Services  
Governance  
Business Hub 6 L1S  
Marischal College  
ABERDEEN  
AB10 1AB

Our Ref: AJD.AO.BHA00100.7  
Your Ref:  
Date: 23 December 2019

Email – licencing@aberdeencity.gov.uk

Dear Sirs

**Application for a Provisional Premises Licence at 43/45 Union Street, Aberdeen, AB11 5BN**

We act for Kurshid Bhatti of 12 Pennan Road, Aberdeen, AB41 8AT and Umair Udin Din of 48 Home Farm Gardens, Bridge of Don, Aberdeen, AB22 8BP who object to the above application by PTL Limited for a Provisional Premises Licence. Both our clients run convenience store businesses in the locality of the premises that are the subject of the application. They object on the basis that the locality surrounding 43/45 Union Street, Aberdeen is already over-provided for licenced premises of a particular description, namely convenience stores selling a wide range of products. In support of their assertion we annex a list of nearby premises that are served by Premises Licences along with plans showing some of their locations.

However our clients premises are contained within the list. Kurshid Bahatti trades out of 36/40 Market Street, Aberdeen and Umair Udin Din trades out of 37 Union Street, Aberdeen.

Both consider that the area surrounding the subjects of application are already significantly over-provided as can be seen by the length of the list. They find no evidence of their customers asking for items that are not already sold within their premises and/or in the area.

Anthony J Dawson and Janet Hood are accredited by The Law Society of Scotland as specialists in Liquor Licensing Law  
Graham A Garden is accredited by The Law Society of Scotland as a Family Law Mediator. He and Susan Waters are trained as Collaborative Family Lawyers  
Forbes F McLennan TEP is accredited by and a member of the Society of Trust and Estate Practitioners (STEP)

James & George Collie and Kinnear & Falconer are trading names of James & George Collie LLP a Limited Liability Partnership registered in Scotland under number SO304786 and having its registered office at 1 East Craibstone Street, Aberdeen AB11 6YQ

**Members**

Graham A Garden  
Duncan M Love  
Forbes F McLennan  
Richard D M Shepherd  
Innes R Miller  
Brian Sutton  
Mark W Allan

**Consultants**

Anthony J Dawson  
Philip G Dawson  
Liz J W Mackinnon  
Janet Hood  
Ignacio Chanza

**Associates**

Vivienne M Bruce  
Steven Allan

**Senior Solicitors**

Susan Waters  
Mary Birse

**Partnership Accountant**

Watson Muach CA

**Stonehaven Branch**

20 Ann Street  
Stonehaven AB39 2EN  
Tel : 01569 763555  
Fax: 01569 766548  
law@kinnearandfalconer.co.uk

**Property Sales Shop**

450 Union Street  
Aberdeen AB10 1TR  
Tel: 01224 572777  
p.sales@jgcollie.co.uk

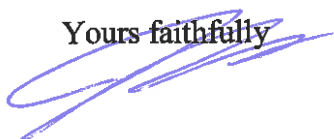
**Property Leasing**

30 Bon-Accord Street  
Aberdeen AB11 6EL  
Tel: 01224 583338  
letting@jgcollie.co.uk

If the application was granted it would simply add to the over provision within this city centre locality.

Please acknowledge safe receipt of this objection.

Yours faithfully



James & George Collie

Note referred to:

1. Morrison's  
215 King Street Aberdeen, Ab24 5Da
2. Dobry Express  
176 King Street, Ab24 5Bh
3. Premier Express A&K Stores  
17 Justice Street, AB11 5HS
4. Premier City News Convenience  
37 Union Street, AB11 5BN
5. Tesco Express who have applied for the license  
43-45 Union Street
6. CoOperative  
204 Union Street Ab10 1QS
7. Tesco Express  
499-501 Union Street AB11 6DB
8. Sainsbury's Local  
492-494 Union Street, AB10 1TS
9. Sunny's 24/7 Best one  
36-40 Market Street, AB11 5PL
10. Sainsbury's Local  
54 Guild Street AB11 6NB
11. Marks & Spencer  
2 Saint Nicholas Street AB10 1BU

**12.Sainsbury's Local**  
**Saint Nicholas Centre Aberdeen**

**13.A&C Smart**  
**314 King Street AB24 5BJ**

**14. Asda**  
**Beach Boulevard Retail Park**

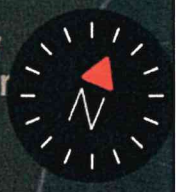
**15. Also**  
**Beach Boulevard Retail Park**

**16 Lidl**  
**Hutchison Street Ab25 3Tb**

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# Morrisons

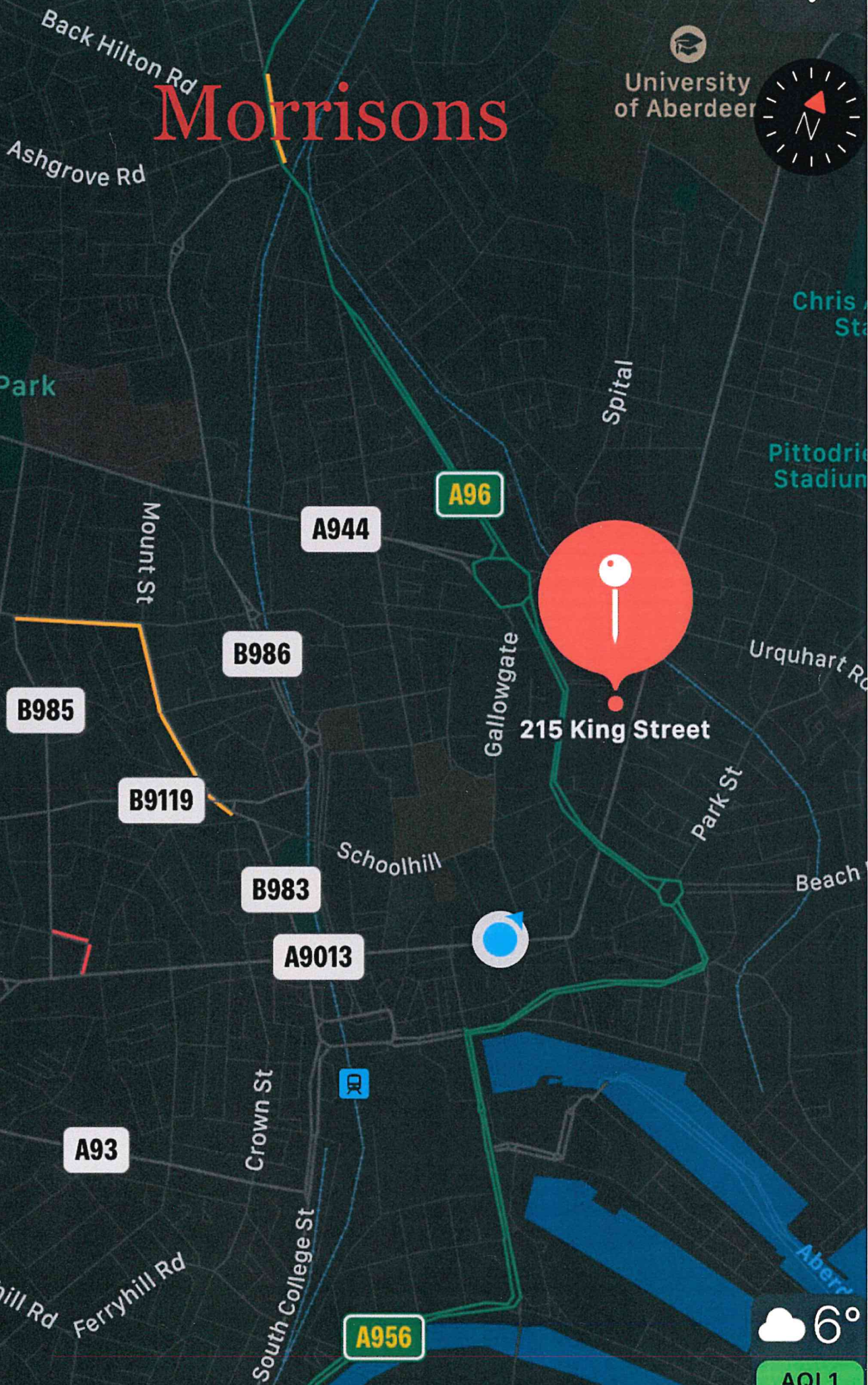
University of Aberdeen



Westburn Park

Chris Sta  
Pittodrie Stadium

78



B985

B9119

B986

B983

A9013

A93

A956

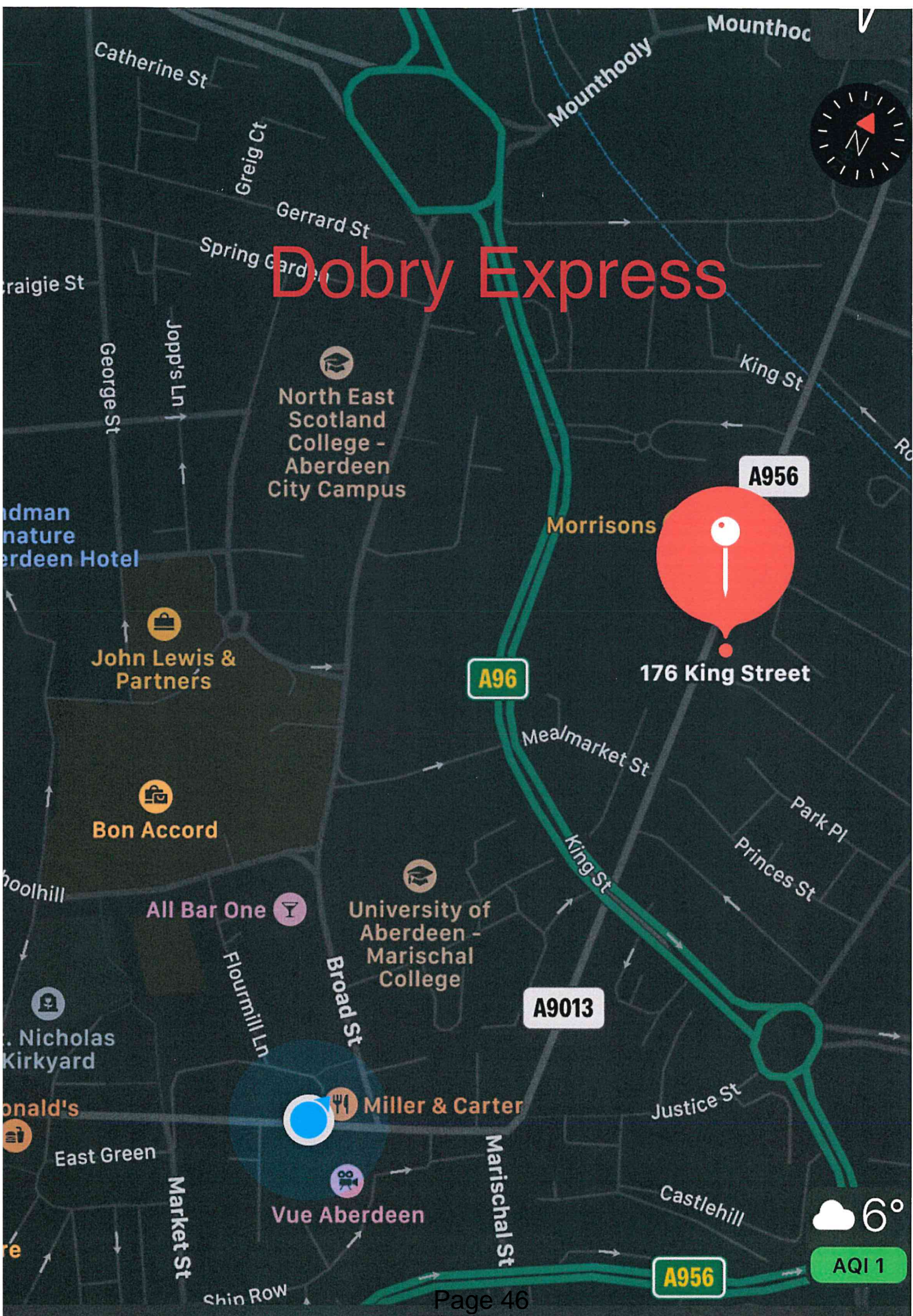
A96

A944

215 King Street

6°  
AQI 1

# Dobry Express



North East Scotland College - Aberdeen City Campus

Morrisons

A956  
176 King Street

A96

Mealmarket St

A9013

University of Aberdeen - Marischal College

Broad St

Miller & Carter

Vue Aberdeen

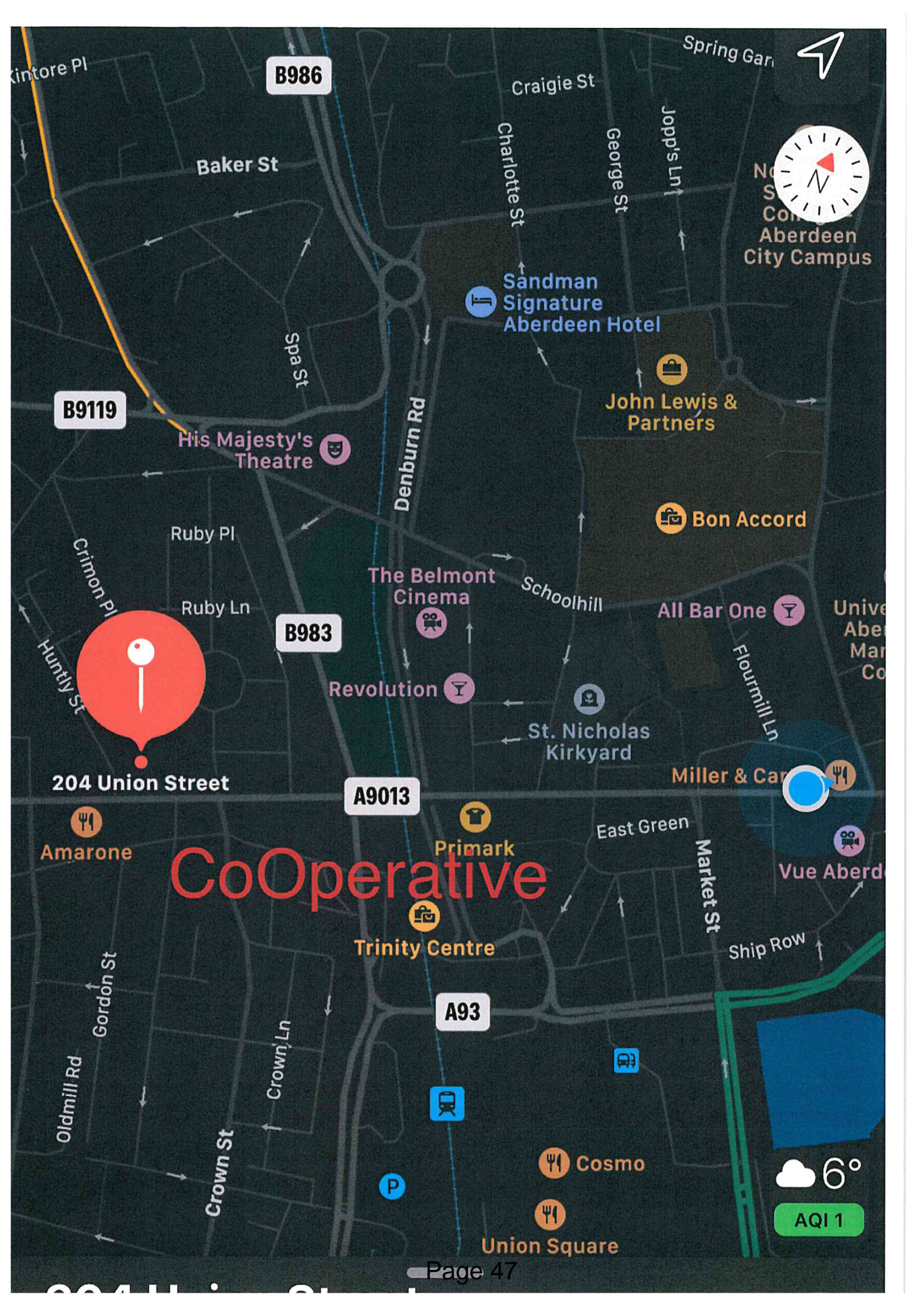
Justice St

Castlehill

A956

6°

AQI 1



North  
South  
City  
Aberdeen  
City Campus

B986

B9119

B983

A9013

A93

# CoOperative

204 Union Street

Amarone

Primark

Trinity Centre

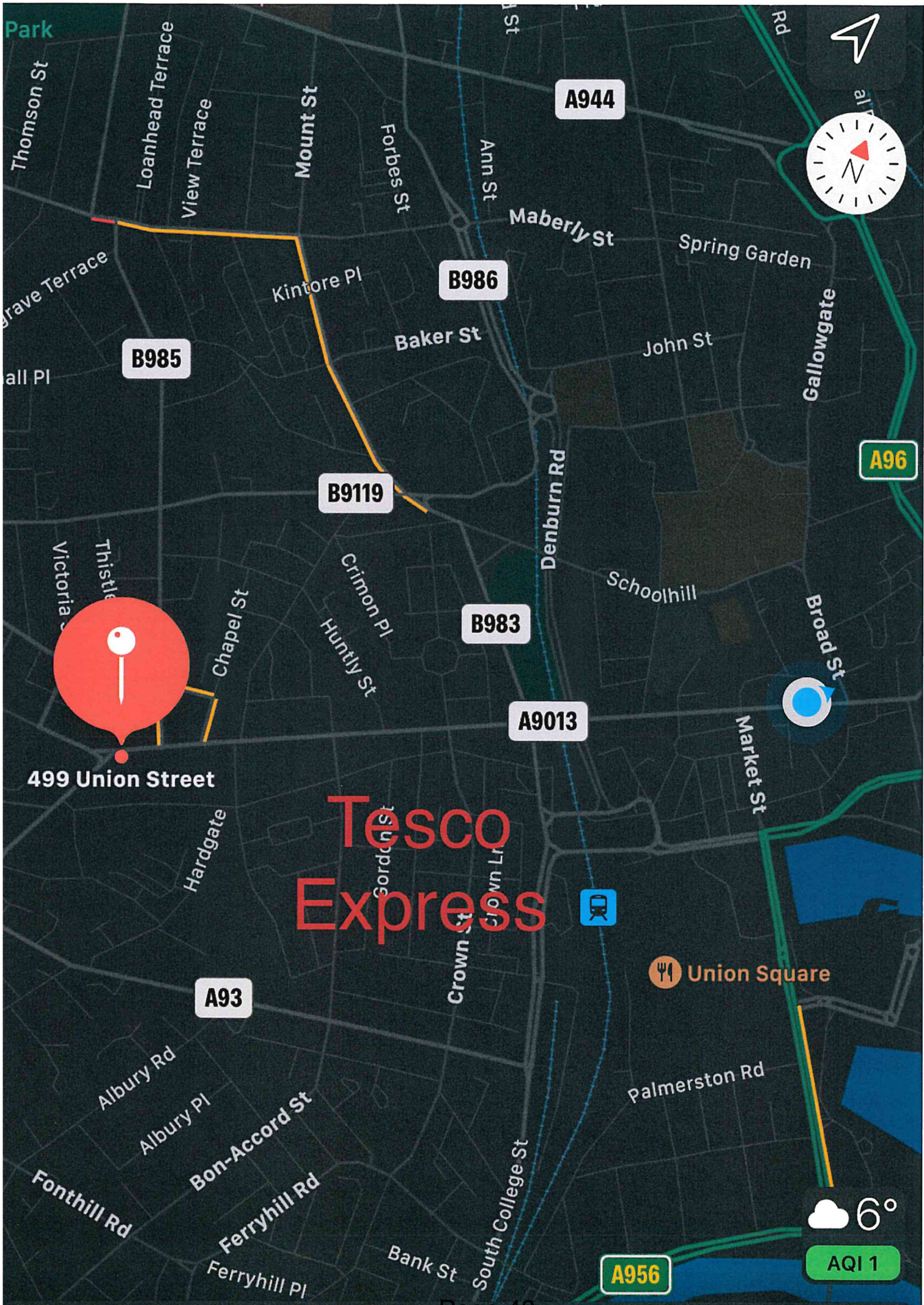
Cosmo

Union Square



6°

AQI 1



499 Union Street

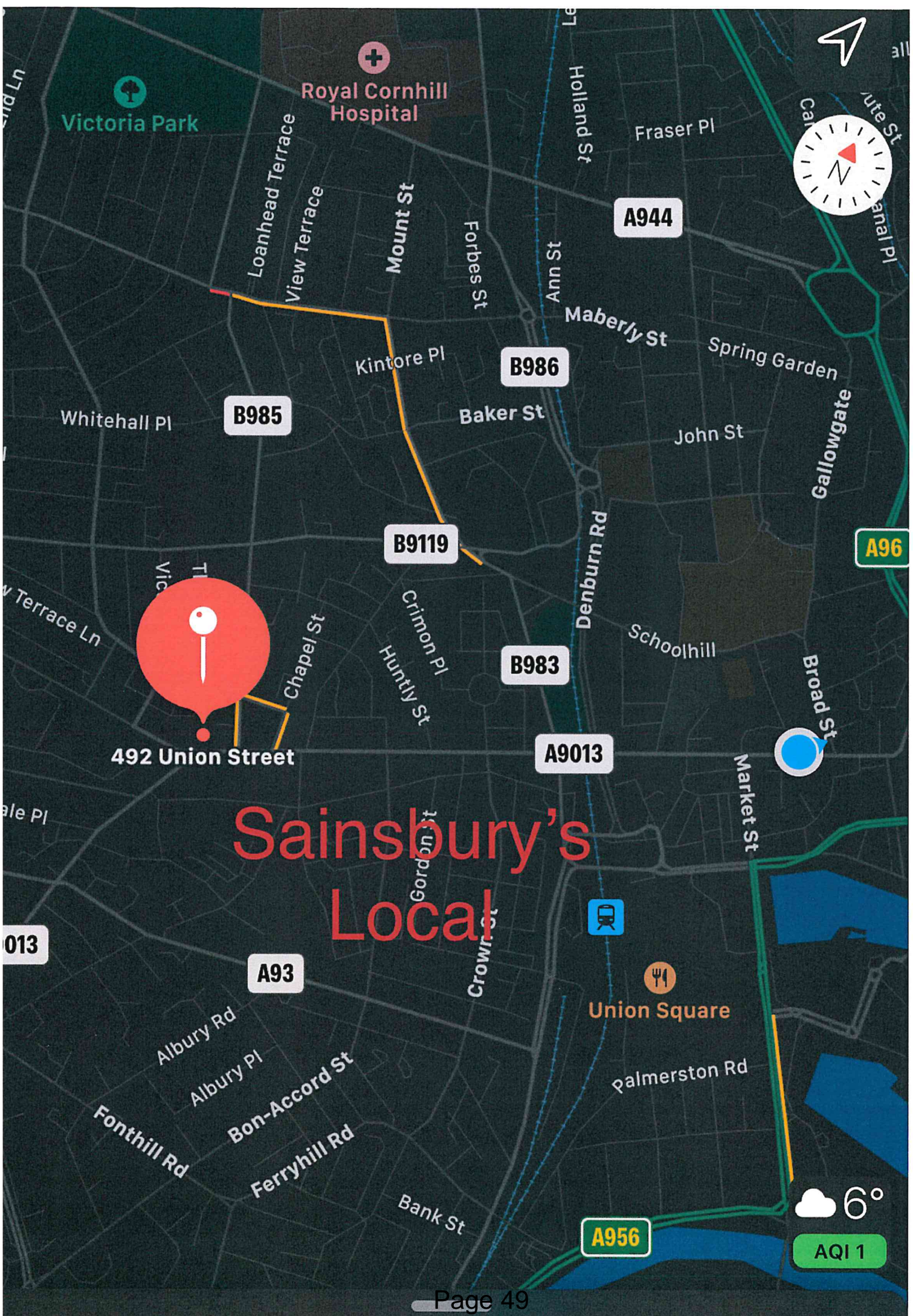
Tesco Express

Union Square

6°

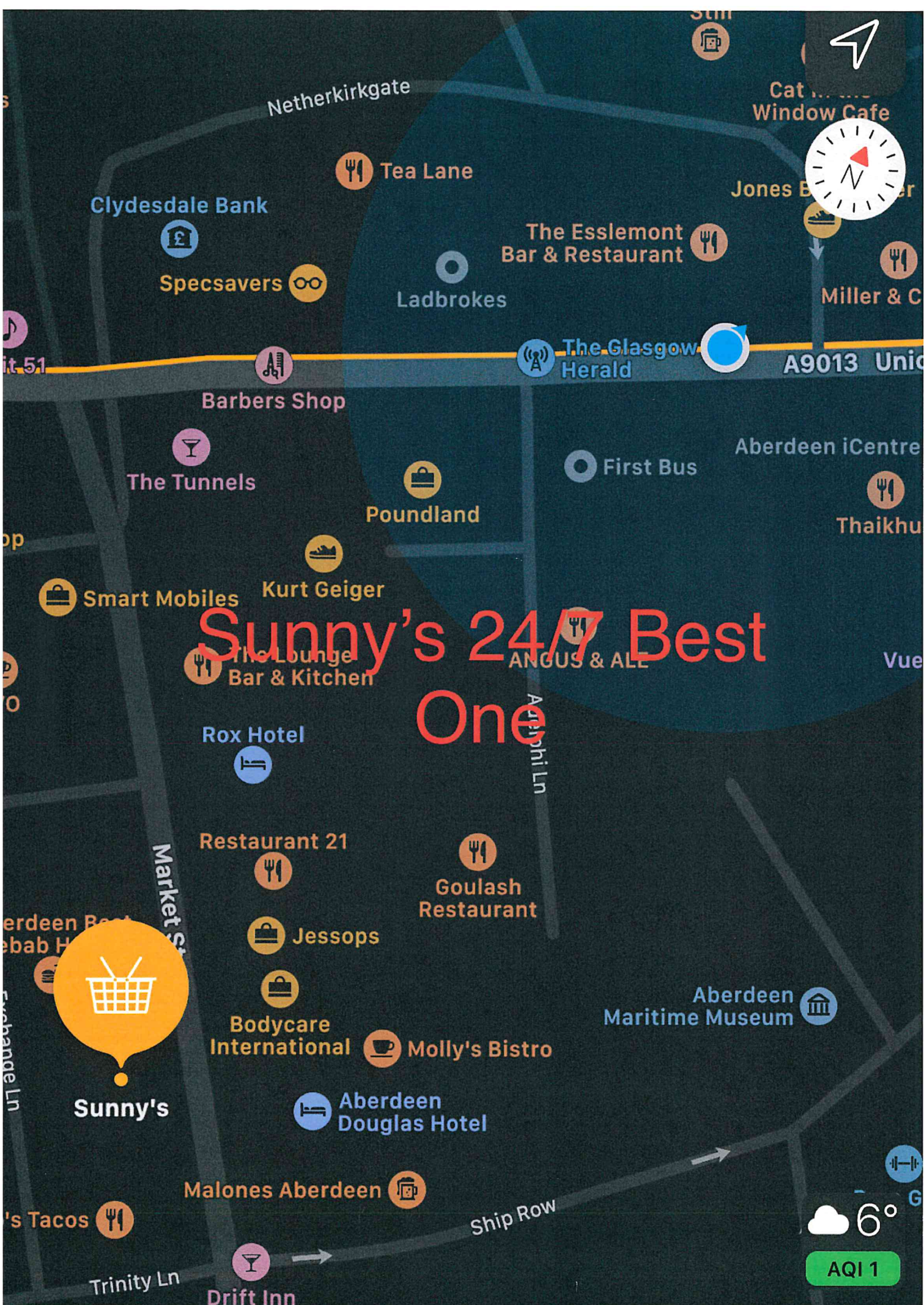
AQI 1





492 Union Street

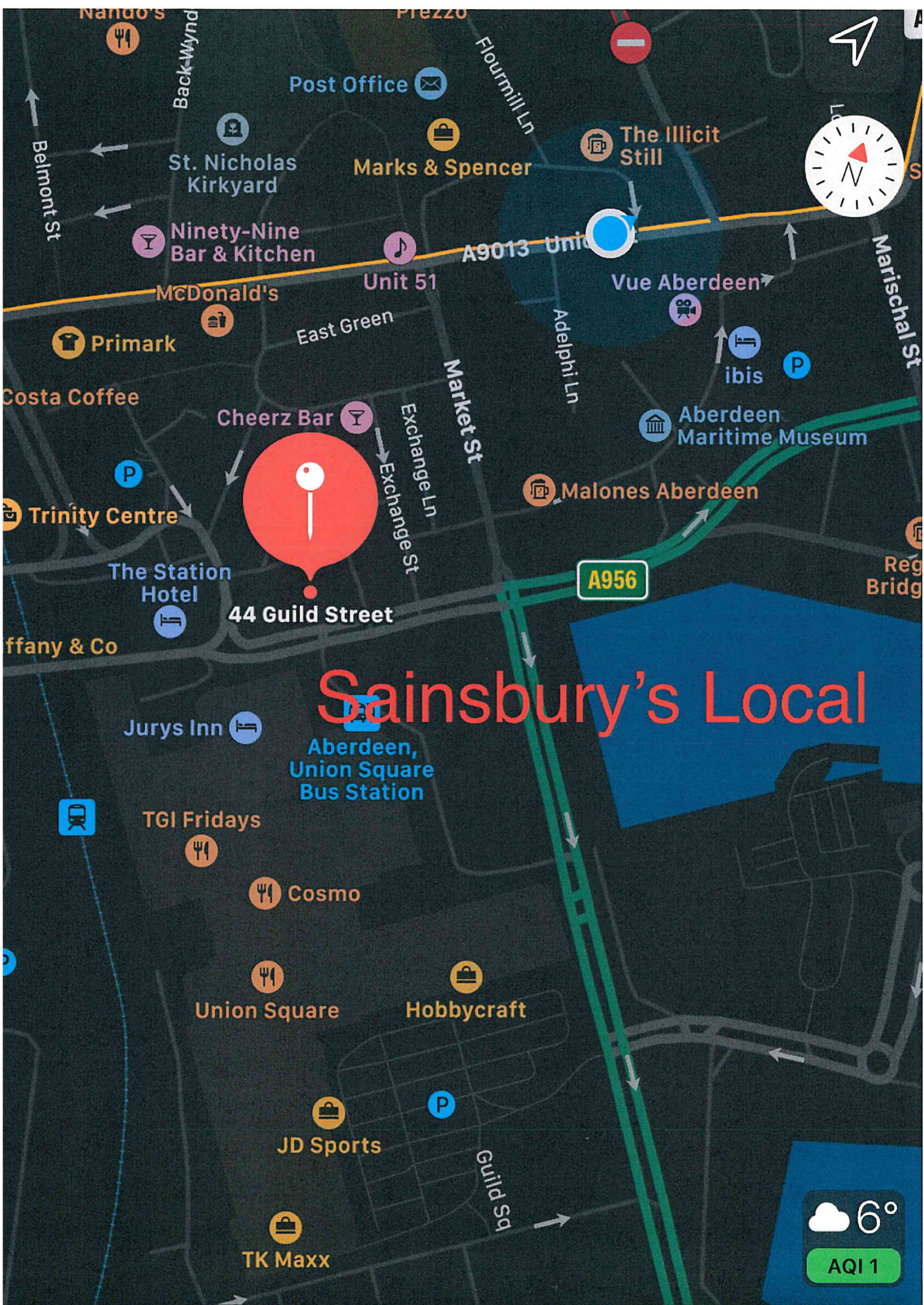
# Sainsbury's Local



# Sunny's 24/7 Best One



Sunny's

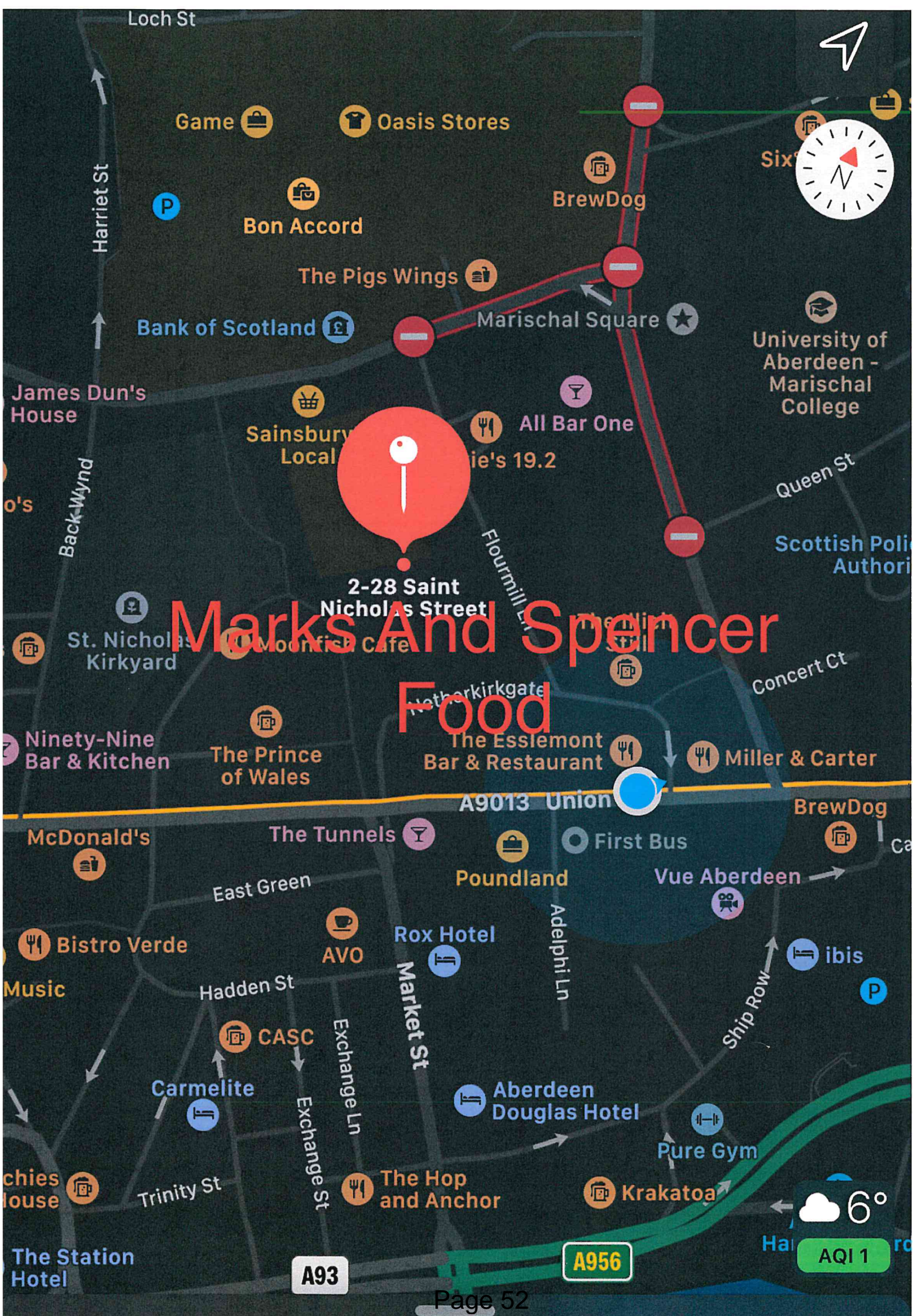


44 Guild Street

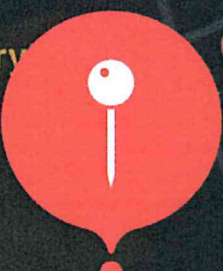
# Sainsbury's Local

Aberdeen,  
Union Square  
Bus Station

6°  
AQI 1



# Marks And Spencer Food



2-28 Saint Nicholas Street

Food

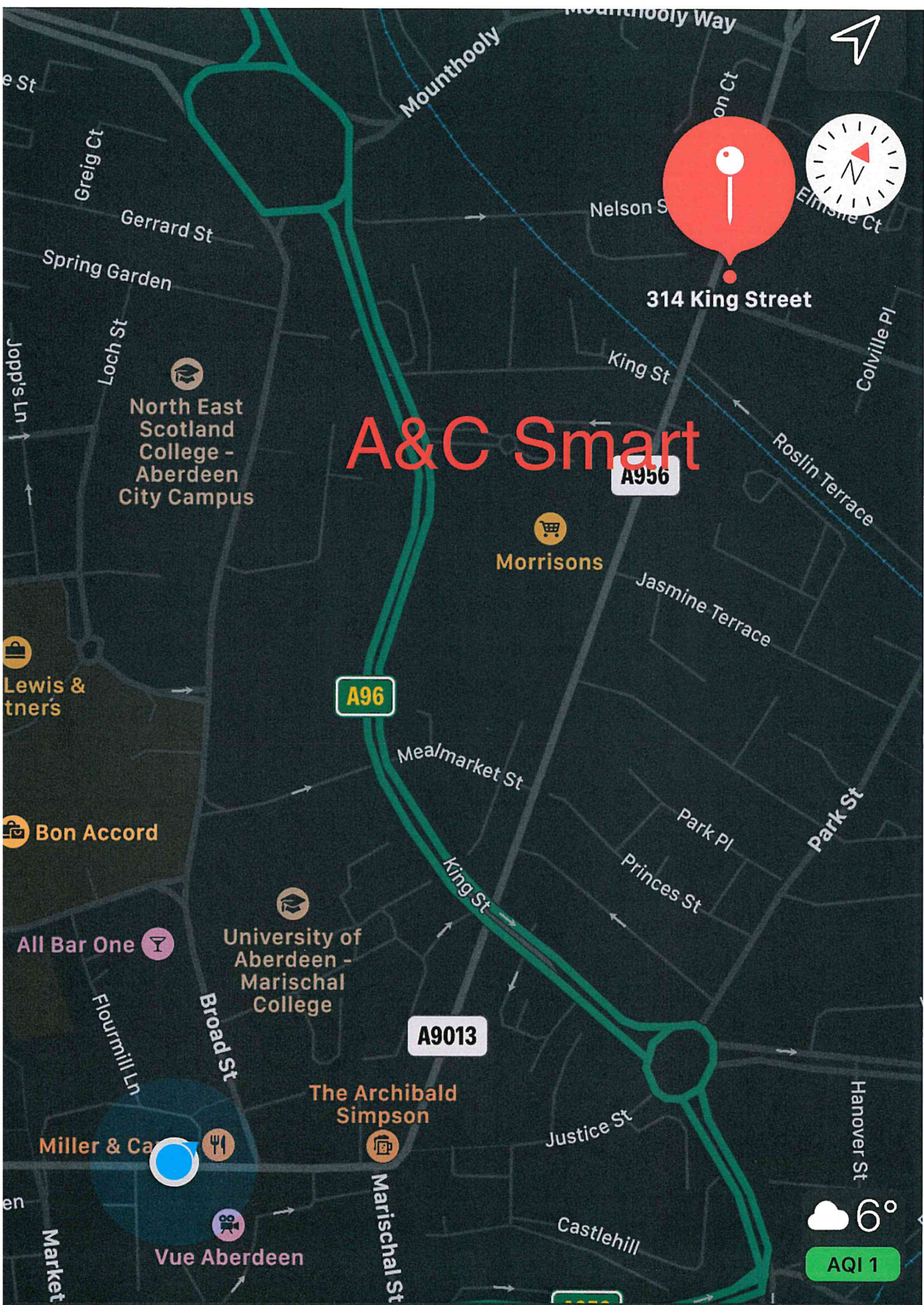


6°

AQI 1

A93

A956



# A&C Smart

314 King Street

North East Scotland College - Aberdeen City Campus

Morrisons

A96

A956

A9013

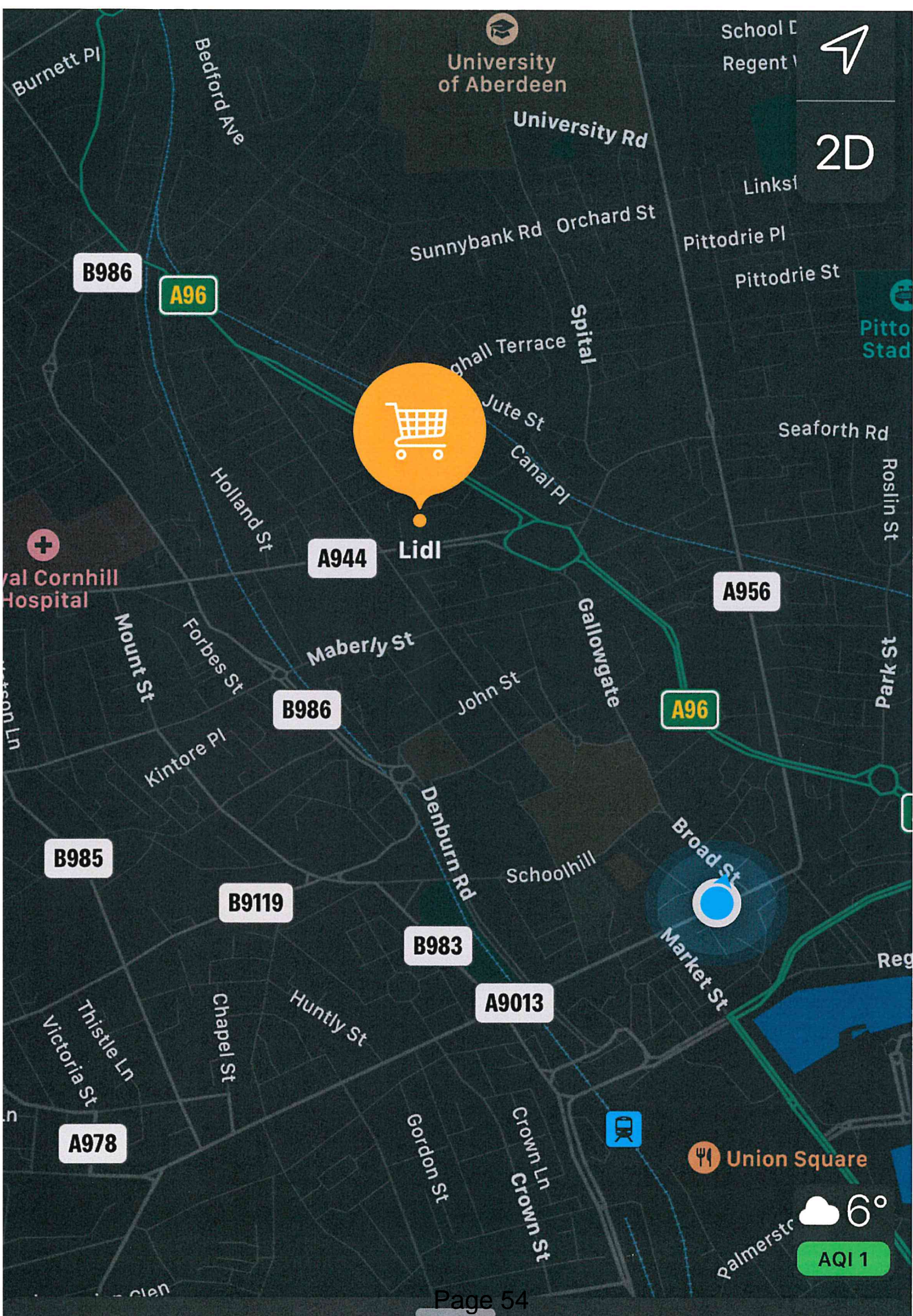
University of Aberdeen - Marischal College

The Archibald Simpson

Vue Aberdeen

6°

AQI 1



University of Aberdeen

School of Regent



2D



Lidl

A944

A956

B986

A96

B985

B9119

B983

A9013

A978

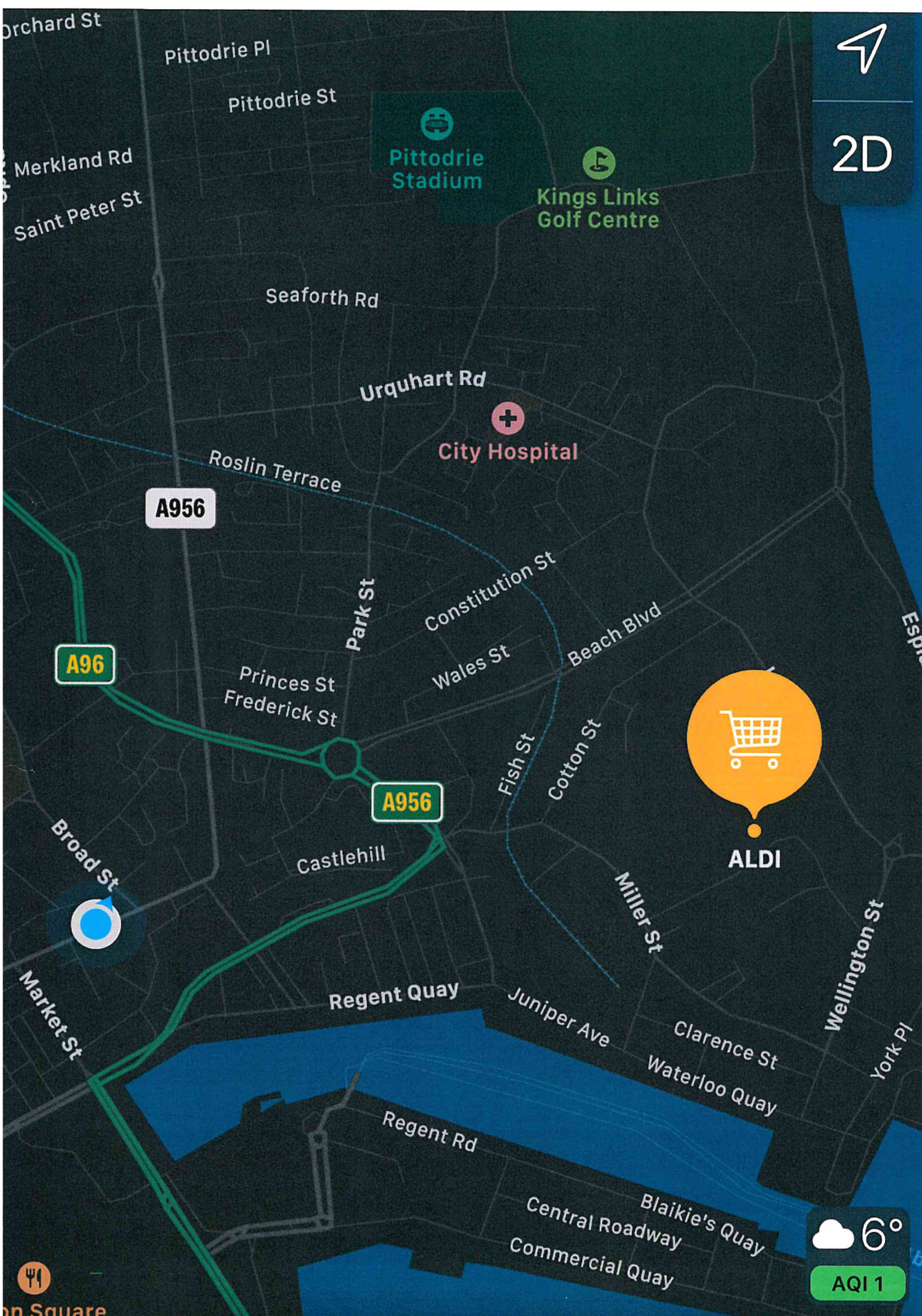
Union Square

6°

AQI 1



2D



6°  
AQI 1

on Square

Sainsbury's Local

Tony Macaroni

All Bar One

Prezzo

Mackie's 19.2

# St Nicholas Centre

WHSmith

Costa Coffee

Starbucks

Superdrug

Claire's

Post Office

Residence Inn

Adam

TSB Bank

Card Factory

Marks & Spencer

Schuh

The Illicit Still

Five Guys

Ye Old Frigate Bar

Cat in the Window

The Esslemont Bar & Restaurant

Specsavers

The Glasgow Herald

The City & Diner

Unit 51

Barbers Shop

A9013

The Tunnels

First Bus

Topshop

Sports Direct

Poundland

The Lounge Bar & Kitchen

ANGUS & ALE

AVO

Rox Hotel

6°

AQI 1



## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** PREMISES LICENCE  
**PREMISES:** 73 – 75 VICTORIA ROAD, ABERDEEN

### BACKGROUND

- Convenience store
- Off Consumption Monday to Sunday from 10.00 to 22.00

### OBJECTIONS/REPRESENTATIONS

- Member of the Public

### POLICY

#### **Preventing Crime & Disorder**

The Board is committed to improving the quality of life for the people of the city by adopting and enforcing policies designed to increase community safety and reduce the threats of crime and disorder.

In terms of this licensing objective the Board considers there to be a number of factors including, but not limited to:

- Underage drinking
- Drunkenness
- Illegal substances
- Violent behaviour
- Anti-social behaviour
- Vulnerability

In order to combat the risks inherent with the sale of alcohol the Board will seek to operate a partnership approach with licence holders, applicants and partner agencies.

#### **What the Board Will Do:**

- Apply appropriate conditions to licences to mitigate the risk of potential crime or disorder, including but not limited to a local condition on duty of care on all on-sales premises.
- Ensure all policies are up to date and fit for purpose.
- Work closely with all stakeholders to ensure all relevant information is kept up to date and accessible.
- Endorse initiatives designed to prevent crime and disorder.
- Consider the review of licences where a breach of the licensing objective cannot be rectified by other means.

#### **What the Board Will Expect of Licence Holders**

- Effective and responsible management of premises including evidence of written procedures for managing incidents.
- Up to date training and supervision of staff.
- Provision of effective CCTV in and around premises.
- Provision of external lighting and security measures.
- Employment of SIA registered door supervisors when appropriate.
- Use of radiolink or other such scheme.
- Adherence to the Board's Drugs Policy.
- Enforcement of Challenge 25.
- Adoption of best practice guidance where available.
- Evidence of a relevant dispersal policy where appropriate.
- Co-operation with police and Licensing Standards Officers.

#### What the Board Will Expect of Partner Agencies

- Provision of all relevant up to date information as the Board requires.
- Involvement in mediation/intervention procedures to rectify any problem areas.
- Involvement in Premises Licence Review as a last resort.

### **Preventing Public Nuisance**

The Board believes that licensed premises have the potential to have a significant impact on communities. It wishes to maintain and protect the amenity of the surrounding neighbourhoods whilst recognising the valuable cultural and social aspects of such premises.

Whilst licensing powers are not the main statutory mechanism for dealing with public nuisance in general the Board will interpret public nuisance in a wider sense where it relates to the operation of licensed premises, and in particular issues such as noise and litter.

Again, a number of factors should be considered including, but not limited to:

- Location of premises. In particular the proximity to residential or noise sensitive premises such as medical facilities, sheltered housing, schools, places of worship, nurseries and suchlike.
- Hours of operation. Closely related to the location of the premises, the hours of operation should reflect what is appropriate for the surrounding neighbourhood. The terminal hours indicated in the Supplementary Policy on Licensed Hours are the maximum available and will not be suitable for all premises.
- Nature of activities. Any activities carried on in the licensed premises should not be detrimental to the ambience of the locality.
- Outdoor areas. The Board will include a Supplementary Policy on this issue, but applicants will require to ensure that the inclusion of an outdoor licensed

area in any premises is appropriate and will not contravene the licensing objective of preventing public nuisance.

- Smoking areas. These should be designed to minimise public nuisance and regularly monitored to cut down on noise and litter.
- Noise from patrons entering and exiting the premises.

#### What the Board Will Do:

- Consider the proximity of proposed licensed premises to noise sensitive premises when considering applications.
- Ensure that licensed hours and activities are appropriate for the type of premises and locality. The terminal hours indicated in the Supplementary Policy on Licensed Hours are the maximum available and will not be suitable for all premises.
- Improve communication between the trade, partners and local communities.
- Impose additional licence conditions where appropriate to prevent public nuisance.
- Highlight best practice where available and increase awareness and education on potential areas of risk.

#### What the Board Will Expect of Licence Holders/Applicants:

- Take a proactive approach to public nuisance with a risk-based approach.
- Be mindful of the location of the premises, hours of operation and activities.
- Comply with all conditions of the premises licence.
- Ensure appropriate control measures are in place and staff training is up to date and relevant.
- Consider public nuisance when establishing the design and layout of the premises.
- Adequate supervision of any outdoor area, smoking area and patrons entering/exiting the premises.
- Sharing of best practice via trade groups.
- Participation in communication to resolve any issues that may arise.
- Co-operation with Police Scotland and Licensing Standards Officers including access to all relevant policies and procedures such as dispersal policies and incident management.

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**ABERDEEN CITY LICENSING BOARD**

**APPLICATION FOR PREMISES LICENCE/~~PROVISIONAL~~ PREMISES LICENCE\***

\*Delete as appropriate

Licensing (Scotland) Act 2005, section 20



APPLICANT INFORMATION Licensing (Scotland) Act 2005, section 20(1)

**Question 1**

Name, Address and postcode of premises to be licensed.

73/75 VICTORIA ROAD, ABERDEEN  
AB11 9LT

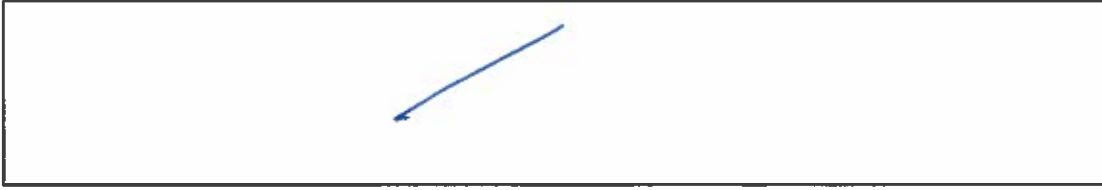
**Question 2**

Particulars of applicant

2(a) Where applicant is an individual, provide full name, date and place of birth, and home address including postcode.

DILSHAD WASTA AZIZ ~~29th~~ 1st DECEMBER  
1975, IRAQ, 1 PERWINNES PATH,  
BRIDGE OF DON, ABERDEEN AB22 8PH

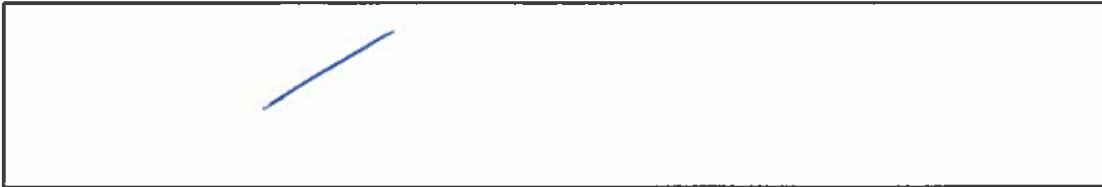
2(b) Where applicant is a partnership, please provide full name, and postal address of partnership.



2(c) Where applicant is a company, please provide name, registered office and company registration number.



2(d) Where applicant is a club or other body, please provide full name, and postal address of club or other body.



2(e) Where applicant is a partnership, company, club or other body, please provide the names, dates and places of birth, and home addresses of connected persons. \*



**\* Connected person is defined in section 147(3) of the Licensing (Scotland) Act 2005**

**For the text of section 147 (3) please go to [www.aberdeency.gov.uk/licensing](http://www.aberdeency.gov.uk/licensing)**

**Question 3**

Previous applications

3. Has the applicant been refused a premises licence under section 23 of the Licensing (Scotland) Act 2005 in respect of the same premises? YES/NO\* ~~YES~~

\*If yes – provide full details

BELIEVE AROUND 2015/16
------------------------

**Question 4**

Previous convictions

4. Has the applicant or any connected person ever been convicted of a relevant or foreign offence (a)	YES/NO* <del>YES</del>
---	------------------------

\*if YES - provide full details

For the purpose of this Act, a conviction for a relevant offence or foreign offence is to be disregarded if it is spent for the purpose of the Rehabilitation of Offenders Act 1974

Name & position (if applicable)	Date of conviction or sentence	Court	Offence	Penalty

---

(a) in addition to any conviction held by the applicant at the time of application, applicants should also familiarise themselves with the contents of section 24(1) of the Licensing (Scotland) Act 2005 in respect of any convictions for relevant or foreign offences which they may receive during the period beginning with the making of the premises licence application and ending with determination of the application

**DESCRIPTION OF PREMISES** Licensing (Scotland) Act 2005, section 20(2)(a)

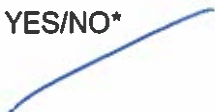
**Question 5**

5. Description of premises (where application is submitted by a members' club, please also complete question 6)

GROUND FLOOR DOUBLE SHOP LOOKING ONTO  
VICTORIA ROAD TERRY IN A TENEMENT BLOCK  
ON 3 FLOORS

**Question 6**

6. To be completed by members' clubs only

Do the club's constitution and rules conform to the requirements of regulation 2 of the Licensing (Clubs) (Scotland) Regulations 2007?*	YES/NO* 
---	--

\*Delete as appropriate

\*\* for the text of Regulation 2 please go to [www.aberdeencity.gov.uk/licensing](http://www.aberdeencity.gov.uk/licensing)

**DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT**

If signing on behalf of the applicant please state in what capacity.

The contents of this Application are true to the best of my knowledge and belief.

Signature ..... \* (see note below)

Date ..... 18.9.19

Capacity ..... ~~APPLICANT~~/AGENT (delete as appropriate)

Telephone number and email address of signatory 01224 581581

a.dawson@jgcalice.co.uk

Postal Address of Agent (if appropriate) 1 EAST CRAIBSTONE

STREET, ABERDEEN AB11 6YQ



<b>I have enclosed the relevant documents with this application – please tick the relevant boxes</b>	
Operating plan	<input checked="" type="checkbox"/>
Layout plan	<input checked="" type="checkbox"/>
Planning certificate	<input checked="" type="checkbox"/>
Building Standards certificate	<input checked="" type="checkbox"/>
Food hygiene certificate	<input checked="" type="checkbox"/>

**\* Data Protection Act 1998**

The information on this form may be held on an electronic public register which may be available to members of the public on request.

<b><u>For use by the Licensing Board only</u></b>	
<b>Application checklist</b>	
<b>Date received</b>	
<b>Fee amount</b>	
<b>Receipt number</b>	
<b>Received by (INITIALS)</b>	
<b>Consideration date</b>	
<b>Last date for consideration</b>	
<b>Date of initial hearing</b>	
<b>Date of any modification hearing</b>	
<b>Date granted/refused (delete as appropriate)</b>	

<b><u>For use by the Licensing Board Only</u></b>	
<b>If application is for a premises licence</b>	
<b>Documents required</b>	
<b>Operating plan</b>	
<b>Layout plan</b>	
<b>Planning certificate</b>	
<b>Building standards certificate</b>	
<b>Food hygiene certificate</b>	

<b><u>For use by the Licensing Board Only</u></b>	
<b>If application is for a provisional premises licence</b>	
<b>Documents required</b>	
<b>Provisional planning certificate</b>	
<b>Operating plan</b>	
<b>Layout plan</b>	

## OPERATING PLAN

Licensing (Scotland) Act 2005, section 20(2)(b)(i)

### Question 1

STATEMENT REGARDING ALCOHOL BEING SOLD ON PREMISES/OFF PREMISES OR BOTH

1(a) Will alcohol be sold for consumption solely ON the premises?	<del>YES</del> /NO*
1(b) Will alcohol be sold for consumption solely OFF the premises?	YES/ <del>NO</del> *
1(c) Will alcohol be sold for consumption both ON and OFF the Premises?	<del>YES</del> /NO*
*Delete as appropriate	

### Question 2

STATEMENT OF CORE TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION ON PREMISES.

Day	ON Consumption	
	Opening time	Terminal Hours
Monday	10 00	22 00
Tuesday	10 00	22
Wednesday	10 00	
Thursday	10 00	
Friday	10 00	
Saturday	10 00	
Sunday	10 00	

**Question 3**

STATEMENT OF **CORE** TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION **OFF** PREMISES.

Day	OFF Consumption	
	Opening time	Terminal Hours
Monday	10 00	22 00
Tuesday	10 00	22 00
Wednesday	10 00	22 00
Thursday	10 00	22 00
Friday	10 00	22 00
Saturday	10 00	22 00
Sunday	10 00	22 00

**Question 4**

SEASONAL VARIATIONS

Does the applicant intend to operate according to seasonal demand	YES/NO*
---	---------

\*if YES – provide details

**Question 5**

PLEASE INDICATE THE OTHER ACTIVITIES OR SERVICES THAT WILL BE PROVIDED ON THE PREMISES IN ADDITION TO SUPPLY OF ALCOHOL.

COL.1 5(a) Activity	COL.2 Please confirm YES/NO	COL.3 To be provided during core licensed hours - please confirm YES/NO	COL.4 Where activities are also to be provided outwith core licensed hours please confirm YES/NO
Accommodation	N	N/A	N/A
Conference facilities	N	N	N
Restaurant facilities	N	N	N
Bar meals	N	N	N
<b>5 (b) Activity</b> <b>Social functions</b> <b>including:</b>	<b>Please confirm</b> <b>YES/NO</b>	<b>To be provided</b> <b>during core</b> <b>licensed hours -</b> <b>please confirm</b> <b>YES/NO</b>	<b>Where activities are</b> <b>also to be provided</b> <b>outwith core</b> <b>licensed hours</b> <b>please confirm</b> <b>YES/NO</b>
Receptions including Weddings, funerals, birthdays, retirements etc	N	N	N
Club or other group meetings etc	N	N	N
<b>5(c)</b> <b>Activity</b> <b>Entertainment</b> <b>including:</b>	<b>Please confirm</b> <b>YES/NO</b>	<b>To be provided</b> <b>during core</b> <b>licensed hours -</b> <b>please confirm</b> <b>YES/NO</b>	<b>Where activities are</b> <b>also to be provided</b> <b>outwith core</b> <b>licensed hours</b> <b>please confirm</b> <b>YES/NO</b>
Recorded music -- see 5(g)	N	N	N
Live performances -- see 5(g)	N	N	N
Dance facilities	N	N	N
Theatre	N	N	N

Films	N	N N	N
Gaming	N	N N	N
Indoor/outdoor sports	N	N N	N
Televised sport	N	N	N
<b>5 (d) Activity</b>	<b>Please confirm YES/NO</b>	<b>To be provided during core licensed hours - please confirm</b>	<b>Where activities are also to be provided outwith core licensed hours please confirm</b>
		<b>YES/NO</b>	<b>YES/NO</b>
Outdoor drinking facilities	N	N	N
<b>5 (e) Activity</b>	<b>Please confirm YES/NO</b>	<b>To be provided during core licensed hours - please confirm</b>	<b>Where activities are also to be provided outwith core licensed hours please confirm</b>
		<b>YES/NO</b>	<b>YES/NO</b>
Adult entertainment	N	N	N

Where you have answered YES in respect of any entry in column 4, please provide further details below.

5 (f) any other activities

If you proposed to provide any activities other than those lists in 5 (a) – (e) please provide details or further information in the box below.

THE SALE OF FRESH PRODUCE AND FROZEN GOODS, CONFECTIONERY, CIGARETTES AND TOBACCO PRODUCTS, NEWSPAPERS AND MAGAZINES, BAKERY PRODUCTS, SOFT DRINKS AND GENERALLY ALL ITEMS NORMALLY SOLD BY CONVENIENCE STORES

5 (g) Late night premises opening after 1.00am

N/A

Where you have confirmed that you are providing live or recorded music, will the decibel level exceed 85db?	YES/NO*
---	---------

When fully occupied, are there likely to be more customers standing than seated?	YES/NO*
--	---------

*Delete as appropriate	
------------------------	--

**Question 6 (On-Sales only)**

N/A

**CHILDREN AND YOUNG PERSONS**

6(a)	When alcohol is being sold for consumption on the premises will children or young persons be allowed entry?	YES/NO*
------	---	---------

	*Delete as appropriate	
--	------------------------	--

6(b) Where the answer to 6(a) is YES provide statement of the **TERMS** under which they will be allowed entry.

6 (c) Provide statement regarding the **AGES** of children or young persons to be allowed entry

6 (d) Provide statement regarding the **TIMES** during which children and young persons will be allowed entry.

6 (e) Provide statement regarding the **PARTS** of the premises to which children and young persons will be allowed entry.

**Question 7**

**CAPACITY OF PREMISES**

What is the proposed capacity of the premises to which this application relates?

ALCOHOL 8.40M<sup>2</sup>

**Question 8**

**PREMISES MANAGER (NOTE: not required where application is for grant of provisional premises licence)**

8 (a) Name

DILSHAD WASTA AZIZ

8 (b) Date of birth

1.12.75

8 (c) Contact address

1 PERWINNES PATH, BRIDGE OF DON, ABERDEEN  
AB22 8PH

8 (d) Email address

wastooaziz@hotmail.com



8 (e) Personal licence

Date of issue	Name of Licensing Board issuing	Reference no. of personal licence
2.9.2014	ACC	AC3726

**DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICATION**

If signing on behalf of applicant please state in what capacity.

The contents of this operating plan are true to the best of my knowledge and belief.

Signature .....  ..... \*(see note below)

Date ..... 18.9.19 .....

Capacity ..... ~~APPLICANT~~/AGENT (delete as appropriate.)

Telephone number and email address of signatory ..... 01224 581581 .....

..... a.dawson@pccolice.co.uk .....

Postal Address of Agent (if appropriate) ..... 1 EAST CRAIBSTONE .....

..... STREET, ABERDEEN AB11 6YU .....

**\* Data Protection Act 1998**

The information on this form may be held on an electronic public register which may be available to members of the public on request.

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## **Benedict Kpohraror**

---

**From:** [REDACTED]  
**Sent:** 08 October 2019 10:07  
**To:** Licensing  
**Subject:** Off Sales licence at 73/75 Victoria Road

Dear Sir/Madam,

I am writing to object against the requested alcohol sales licence at 73/75 Victoria Road Aberdeen. I live at [REDACTED] and feel that there is already too much noise and loitering right on my doorstep with clientele from the minimarket at 75 and cafe at 79, alcohol sale would only make this worse and attract the wrong type of people. I have witnessed this across the road at the licenced Spar where there are often ugly alcohol related scenes, and there are already enough shops on Victoria Road that sell alcohol anyway.

Yours Sincerely

[REDACTED]  
[REDACTED]

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## **Benedict Kpohraror**

---

**From:**  
**Sent:** 25 October 2019 16:40  
**To:** Licensing  
**Subject:** Torry Licences

Dear Sir/Madam

I write to you with my objection to the application of liqueur licence to the shop at 73/75 Victoria Rd, Torry, AB119LT, with the intention of complaint regarding 'YET ANOTHER' licence application in an already saturated area of 'off' licence in the same street of Torry. We already have enough off licence shops all within easy walking distance of one another and I don't think another one should be given out in this area. I do hope you give this matter full consideration as in this day and age where we are trying to bring down the amount of binge drinkers one more 'right next door' to another will not help matters any further.

Yours Faithfully

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## **Benedict Kpohraror**

---

**From:**  
**Sent:** 28 October 2019 14:06  
**To:** Benedict Kpohraror  
**Subject:** FW: objection to premises license application 73/75 Victoria road ,aberdeen, AB11 9LT.  
**Attachments:** door1.jpeg; door2.jpeg

Diane

**Sent:** 28 October 2019 13:43  
**To:** Licensing <Licensing@aberdeencity.gov.uk>; Diane Sande <DSande@aberdeencity.gov.uk>  
**Subject:** objection to premises license application 73/75 Victoria road ,aberdeen, AB11 9LT.

Dear sir / madam

I am writing this mail to make my objection to the premises license application for 73/75 Victoria road , Torry, aberdeen, AB11 9LT.

I have complained about wrong notice was posted on the property to the licensing board on 21/10/19 , and I have received conformation mail from licensing board that after the enforcement team visit , they found that the wrong notice was displayed.

As of this morning 28/10/19 the notice has not been changed, Instead of displaying summary of application for premises licence, the property has displayed conformation of site notice, which doesn't show the proposed licensable activities and the proposed hours of opening and clearly not displayed for the period during which representations may be made, together with information about where the details of the application may be viewed. This will allow any public to say their view.

I strongly believe that a new correct notice should be displayed for further 21 days, then it should be passed to the licensing board for the approval, it's the enforcement team job to make sure applicants are eligible and followed correct procedures before it can go to licensing board for approval

If the application still goes through without the correct notice for further 21 days, I would like to make an objection to their license.

I have attached the display notice displayed on the 27/10/19, I have also have a copy of pictures taken several dates starting from 6/10/19 on wards to clearly show that the correct notice was never in place.

Please accept my objection letter, please contact me through my email for any further information, and I am available for the licence board meeting.

Thanking you ,

Yours obediently,

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## Benedict Kpohraror

---

**From:** [REDACTED]  
**Sent:** 27 October 2019 19:08  
**To:** Licensing  
**Subject:** objection

To the licensing team

living in , torry , aberdeen .

I have noticed that the shop at 73-75 Victoria road has applied for an alcohol licence . I am writing this letter to make an objection for that .

There are 5 convenience stop located very close to Each other within less than 100 meters . Out with 5 , this is the only shop that doesn't sell alcohol. Within 100 meter there are 4 off licence shop two licensed bars.

I have been a customer for this shop (73/75 Victoria road) , have been shopping all essential from there .Somehow I have been avoiding going to other shops that sells alcohol . Only reason For this is that every shop that sells alcohol, they have displayed spirits behind the counter . I am really worried that going in to these shop and seeing them make me buy alcohol one day .

I struggled a lot, made a lot of efforts changing my habits .

I may not be the only one , there may be many like me who avoid going in to the off licensed shops .

There may be many like me who want to go to shop and get their shopping done without facing arguing alcoholic at the shop entrance and inside .

When you have 4 other off licence shops and 2 licensed Bar surrounded already  
Selling alcohol from all part of the world ,why do we need many more .

I am objecting their application and requesting you to please allow at lease one shop free from selling alcohol .

Please accept my objection letter

Yours truly

This page is intentionally left blank

## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** PREMISES LICENCE

**PREMISES:** ROYAL BANK OF SCOTLAND, 2 MARISCHAL SQUARE, ABERDEEN

### BACKGROUND

- On sales consumption offering conference & restaurant facilities, social functions and televised sports during and outwith core licensed hours.

### OBJECTIONS/REPRESENTATIONS

- None

### POLICY

N/A

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**Aberdeen**  
**Application for premises licence or provisional**  
**premises licence**  
**Licensing (Scotland) Act 2005**



For help contact  
[Licensing@aberdeencity.gov.uk](mailto:Licensing@aberdeencity.gov.uk)  
 Telephone: 01224 522499

\* required information

**Section 1 of 8**

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference	Not Currently In Use	This is the unique reference for this application generated by the system.
Your reference	RBS Aberdeen - 192510	You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes       No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

**Applicant Details**

* First name	BaxterStorey Limited	
* Family name	n/a	
* E-mail	david.whitehead@dswgroup.co.uk	
Main telephone number	0203 900 2510	Include country code.
Other telephone number	07789 282388	

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

Applying as a business or organisation, including as a sole trader  
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

**Applicant Business**

\* Is the applicant's business registered in the UK with Companies House?       Yes       No

* Registration number	01962583
* Business name	BaxterStorey Ltd
* VAT number	GB 765321726
* Legal status	Private Limited Company

If the applicant's business is registered, use its registered name.

Put "none" if the applicant is not registered for VAT.

Continued from previous page...

\* Applicant's position in the business

Home country

The country where the applicant's headquarters are.

**Registered Address**

Address registered with Companies House.

\* Building number or name

\* Street

District

\* City or town

County or administrative area

\* Postcode

\* Country

**Agent Details**

\* First name

\* Family name

\* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

An agent that is a business or organisation, including a sole trader

A sole trader is a business owned by one person without any special legal structure.

A private individual acting as an agent

**Agent Business**

\* Is your business registered in the UK with Companies House?  Yes  No

\* Is your business registered outside the UK?  Yes  No

\* Business name

If your business is registered, use its registered name.

\* VAT number

Put "none" if you are not registered for VAT.

\* Legal status

Continued from previous page...

\* Your position in the business

Home country

The country where the headquarters of your business is located.

**Agent Business Address**

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

\* Building number or name

\* Street

District

\* City or town

County or administrative area

\* Postcode

\* Country

**Section 2 of 8**

**FURTHER DETAILS ABOUT THE APPLICANT**

\* Are you applying as an individual (includes sole traders)?

Yes  No

\* Are you applying as a members' club?

Yes  No

**Section 3 of 8**

**CONNECTED PEOPLE**

You must provide details of all COMPANY DIRECTORS and the SECRETARY (if the applicant is a company), all PARTNERS (if it is a partnership), OFFICE BEARERS (if it is a club or association), all OWNERS of the business or premises and all MANAGERS of the business or organisation. Check for local guidance notes and conditions which may clarify exact requirements.

\* Are there any such people for whom you need to provide details?

Yes  No

**Provide The Following Details About Each One Of Them**

\* Position  E.g. director, partner, day-to-day manager.

**Full Name**

\* First name

\* Family name

Former name(s)

If currently or previously known by any other name(s), you must record them here.

Continued from previous page...

**Home Address**

\* Building number or name

\* Street

District

\* City or town

County or administrative area

\* Postcode

\* Country

**Contact Details**

E-mail

\* Main telephone number

Other telephone number

**Further Details**

\* Date of birth  /  /   
dd mm yyyy

\* Place of birth

**Provide The Following Details About Each One Of Them**

\* Position  E.g. director, partner, day-to-day manager.

**Full Name**

\* First name

\* Family name

Former name(s)

If currently or previously known by any other name(s), you must record them here.

**Home Address**

\* Building number or name

\* Street

District

\* City or town

County or administrative area

\* Postcode

\* Country



Continued from previous page...

**Contact Details**

E-mail

\* Telephone number

Other telephone number

**Further Details**

\* Date of birth  /  /   
dd mm yyyy

\* Place of birth

**Provide The Following Details About Each One Of Them**

\* Position  E.g. director, partner, day-to-day manager.

**Full Name**

\* First name

\* Family name

Former name(s)  If currently or previously known by any other name(s), you must record them here.

**Home Address**

\* Building number or name

\* Street

District

\* City or town

County or administrative area

\* Postcode

\* Country

**Contact Details**

E-mail

\* Telephone number

Other telephone number

**Further Details**

\* Date of birth  /  /   
dd mm yyyy

\* Place of birth

Continued from previous page...

Remove this person

**Provide The Following Details About Each One Of Them**

\* Position  E.g. director, partner, day-to-day manager.

**Full Name**

\* First name

\* Family name

Former name(s)  If currently or previously known by any other name(s), you must record them here.

**Home Address**

\* Building number or name

\* Street

District

\* City or town

County or administrative area

\* Postcode

\* Country

**Contact Details**

E-mail

\* Telephone number

Other telephone number

**Further Details**

\* Date of birth  /  /   
dd mm yyyy

\* Place of birth

Remove this person

**Provide The Following Details About Each One Of Them**

\* Position  E.g. director, partner, day-to-day manager.

**Full Name**

\* First name

\* Family name

Former name(s)  If currently or previously known by any other name(s), you must record them here.

Continued from previous page...

**Home Address**

\* Building number or name

\* Street

District

\* City or town

County or administrative area

\* Postcode

\* Country

**Contact Details**

E-mail

\* Telephone number

Other telephone number

**Further Details**

\* Date of birth  /  /   
dd mm yyyy

\* Place of birth

**Provide The Following Details About Each One Of Them**

\* Position  E.g. director, partner, day-to-day manager.

**Full Name**

\* First name

\* Family name

Former name(s)

If currently or previously known by any other name(s), you must record them here.

Continued from previous page...

**Home Address**

* Building number or name	Posterns Court
* Street	Henfold Lane
District	
* City or town	Holmwood
County or administrative area	Surrey
* Postcode	RH5 4NX
* Country	United Kingdom

**Contact Details**

E-mail	
* Telephone number	0203 900 2510
Other telephone number	

**Further Details**

* Date of birth	27 / 12 / 1966
	dd mm yyyy
* Place of birth	Ireland
	<input type="button" value="Remove this person"/>

**Provide The Following Details About Each One Of Them**

* Position	Director	E.g. director, partner, day-to-day manager.
------------	----------	---

**Full Name**

* First name	Simon
* Family name	Esner
Former name(s)	

If currently or previously known by any other name(s), you must record them here.

Continued from previous page...

**Home Address**

\* Building number or name

\* Street

District

\* City or town

County or administrative area

\* Postcode

\* Country

**Contact Details**

E-mail

\* Telephone number

Other telephone number

**Further Details**

\* Date of birth  /  /   
dd mm yyyy

\* Place of birth

**Section 4 of 8**

**PREMISES TO BE LICENSED**

\* Name of premises/  
trading name

Continued from previous page...

**Home Address**

\* Building number or name

\* Street

District

\* City or town

County or administrative area

\* Postcode

\* Country

**Contact Details**

E-mail

\* Telephone number

Other telephone number

**Further Details**

\* Date of birth  /  /   
dd mm yyyy

\* Place of birth

**Provide The Following Details About Each One Of Them**

\* Position  E.g. director, partner, day-to-day manager.

**Full Name**

\* First name

\* Family name

Former name(s)  If currently or previously known by any other name(s), you must record them here.

Continued from previous page...

### Premises Address

Is the address the same as (or similar to) the address given in section one?

Yes  No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

* Building number or name	<input type="text" value="2"/>
* Street	<input type="text" value="Marischal Square"/>
District	<input type="text"/>
* City or town	<input type="text" value="Aberdeen"/>
County or administrative area	<input type="text"/>
* Postcode	<input type="text" value="AB10 1BL"/>
* Country	<input type="text" value="United Kingdom"/>

### Contact Details

Are the contact details the same as (or similar to) those given in section one?

Yes  No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail	<input type="text" value="david.whitehead@dswgroup.co.uk"/>
* Main telephone number	<input type="text" value="0203 900 2510"/>
Other telephone number	<input type="text" value="07789 282388"/>

### Description

\* Provide a description of the premises

## Section 5 of 8

### APPLICATION DETAILS

\* Type of application:

- Premises licence  
 Provisional premises licence

You must submit the following documents with this application:

- Operating plan
- Layout plan
- Planning certificate
- Building standards certificate
- Food hygiene certificate (if applicable)

Continued from previous page...

### Previous Applications

\* Has the prospective licence holder, or any connected person, previously been refused a premises licence for the same premises?

Yes  No

### Section 6 of 8

#### CONVICTIONS

\* Has the prospective licence holder, or any connected person, ever been convicted of a relevant or foreign offence?

Yes  No

The definition of a "relevant or foreign offence" is set out in The Licensing (Relevant Offences) (Scotland) Regulations 2007. A conviction is to be disregarded if it is spent for the purposes of the Rehabilitation of Offenders Act 1974 (or equivalent legislation).

Applicants should also familiarise themselves with the contents of section 24(1) of the Licensing (Scotland) Act 2005 in respect of any convictions for relevant or foreign offences which they may receive during the period between making the application and the determination of the application.

### Section 7 of 8

#### ADDITIONAL DETAILS

Provide any additional information which is required or relevant to your application (check for local guidance notes and conditions which may provide details of specific requirements in your area)

This application seeks to permit the sale or supply of alcohol by BaxterStorey Ltd to officers and employees of Royal Bank of Scotland Ltd, its agents, servants and invited guests. The general public shall not be admitted. The licensed area is restricted to five meeting rooms on the 6th floor together with its associated private reception area and circulation area. There is no requirement for alcohol every day but it may be required for fine dining, luncheons, celebrations, business announcements and recognition awards. There may be rare requirements for other usage such as private receptions and supported charity meetings within those designated areas.

### Section 8 of 8

#### PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Category 1 ((a) Premises not entered on the valuation roll or have a nil valuation. (b) Premises whose main function is to provide a visitor attraction, (c) they are used wholly or mainly for the purposes of a club and (d) their main function is to provide accommodation that are not open to the public other than for the provision of accommodation, and any alcohol sold is to be consumed on the premises by guests being accommodated there.) £160.00

Category 2 - Rateable value: £1 to £11,500 £640.00

Category 3 - Rateable value: £11,501 to 35,000 £880.00

Category 4 - Rateable value: £35,001 to £70,000 £1040.00

Category 5 - Rateable value: £70,001 to £140,000 £1360.00

Category 6 - Rateable value: above £140,000 £1600.00

Please note that you must also complete the form 'Submit an operatin plan with a variation' and submit it at the same time as you submit this application.



Continued from previous page...

\* Fee amount (£)

1,600.00

## ATTACHMENTS

## AUTHORITY POSTAL ADDRESS

### Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

United Kingdom

## DECLARATION

\* The contents of this application are true to the best of my knowledge and belief.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

\* Full name

\* Capacity

Date (dd/mm/yyyy)

Add another signatory

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...

2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence-2/aberdeen/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.



## OPERATING PLAN

Licensing (Scotland) Act 2005, section 20(2)(b)(i)

### Question 1

*STATEMENT REGARDING ALCOHOL BEING SOLD ON PREMISES/OFF PREMISES OR BOTH*

<i>1(a) Will alcohol be sold for consumption solely ON the premises?</i>	<i>YES/NO*</i>
<i>1(b) Will alcohol be sold for consumption solely OFF the premises?</i>	<i>YES/NO*</i>
<i>1(c) Will alcohol be sold for consumption both ON and OFF the premises?</i>	<i>YES/NO*</i>
<i>*Delete as appropriate</i>	

### Question 2

*STATEMENT OF CORE TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION ON PREMISES*

Subject to the provisions of Section 63(2) of the Licensing (Scotland) Act 2005:

<i>Day</i>	<i>ON Consumption</i>	
	<i>Opening time</i>	<i>Terminal hour</i>
<i>Monday</i>	11.00	23.00
<i>Tuesday</i>	11.00	23.00
<i>Wednesday</i>	11.00	23.00
<i>Thursday</i>	11.00	23.00
<i>Friday</i>	11.00	23.00
<i>Saturday</i>	11.00	23.00
<i>Sunday</i>	12.00	22.00

**Question 3**

*STATEMENT OF CORE TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION OFF PREMISES*

<i>Day</i>	<i>OFF Consumption</i>	
	<i>Opening time</i>	<i>Terminal hour</i>
<i>Monday</i>		
<i>Tuesday</i>		
<i>Wednesday</i>		
<i>Thursday</i>		
<i>Friday</i>		
<i>Saturday</i>		
<i>Sunday</i>		

**Question 4**

*SEASONAL VARIATIONS*

<i>Does the applicant intend to operate according to seasonal demand</i>	<i>YES/NO*</i>
--	----------------

*\*If YES – provide details*

**Question 5**

PLEASE INDICATE THE OTHER ACTIVITIES OR SERVICES THAT WILL BE PROVIDED ON THE PREMISES IN ADDITION TO SUPPLY OF ALCOHOL

COL. 1	COL. 2	COL. 3	COL. 4
<b>5(a)</b> <i>Activity</i>	<i>Please confirm</i> <b>YES/NO</b>	To be provided during core licensed hours – please confirm <b>YES/NO</b>	Where activities are also to be provided outside core licensed hours please confirm <b>YES/NO</b>
<i>Accommodation</i>	No	No	No
<i>Conference facilities</i>	Yes	Yes	Yes
<i>Restaurant facilities</i>	Yes	Yes	Yes
<i>Bar meals</i>	No	No	No
<b>5(b)</b> <i>Activity</i>	<i>Please confirm</i> <b>YES/NO</b>	To be provided during core licensed hours – please confirm <b>YES/NO</b>	Where activities are also to be provided outside core licensed hours please confirm <b>YES/NO</b>
<i>Social functions including:</i>			
<i>Receptions including Weddings, funerals, birthdays, retirements etc.</i>	Yes	Yes	Yes
<i>Club or other group meetings etc.</i>	Yes	Yes	Yes
<b>5(c)</b> <i>Activity</i>	<i>Please confirm</i> <b>YES/NO</b>	To be provided during core licensed hours – please confirm <b>YES/NO</b>	Where activities are also to be provided outside core licensed hours please confirm <b>YES/NO</b>
<i>Entertainment including:</i>			
<i>Recorded music – see 5(g)</i>	No	No	No
<i>Live performances – see 5(g)</i>	No	No	No
<i>Dance facilities</i>	No	No	No
<i>Theatre</i>	No	No	No

<i>Films</i>	No	No	No
<i>Gaming</i>	No	No	No
<i>Indoor/outdoor sports</i>	No	No	No
<i>Televised sport</i>	Yes	Yes	Yes
<b>5(d)</b> <i>Activity</i>	<i>Please confirm</i> <b>YES/NO</b>	<b>To be provided during core licensed hours – please confirm</b> <b>YES/NO</b>	<b>Where activities are also to be provided outside core licensed hours please confirm</b> <b>YES/NO</b>
<i>Outdoor drinking facilities*</i>	No	No	No
<b>5(e)</b> <i>Activity</i>	<i>Please confirm</i> <b>YES/NO</b>	<b>To be provided during core licensed hours – please confirm</b> <b>YES/NO</b>	<b>Where activities are also to be provided outside core licensed hours please confirm</b> <b>YES/NO</b>
<i>Adult entertainment</i>	No	No	No

Where you have answered YES in respect of any entry in column 4 above, please provide further details below.

Question 5 column 4 each of these activities may be provided outside core hours as reasonably required to meet customer demand. No alcohol will be sold outside core hours otherwise than in accordance with the grant of an Extended Hours application.

Conference Facilities may start outside the core hours but not before 07.00 hours and end not after 01.00 hours.

Restaurant Facilities may start outside the core hours but not before 07.00 hours and end not after 01.00 hours. These facilities will consist of fine dining, luncheons and dinners.

Receptions may start outside core hours but not before 07.00 hours and end not after 01.00 hours.

Club or Group meetings - may start outside the core hours but not before 07.00 hours and end not after 01.00 hours

Televised Sports - may start outside the core hours but not before 07.00 hours and not after 01.00 hours for national, international and special event sports only.

5(f) any other activities

If you propose to provide any activities other than those listed in 5(a) – (e) please provide details or further information in the box below.

<p>No alcohol will be sold outside core hours without there being a grant of an extended hours application.</p> <p>It is expected that the following may be provided within the premises:</p> <p>AGM related activities</p> <p>Awards ceremonies</p> <p>Banquets / Buffets</p> <p>Business Meetings / Breakfasts / Lunches / Dinners</p> <p>Charity Events</p> <p>Lectures/ Presentations</p> <p>Networking events</p> <p>Shareholders meetings</p> <p>Training events</p> <p>Wine and similar tastings</p>
---

5(g) Late night premises opening after 1.00am Not applicable

Where you have confirmed that you are providing live or recorded music, will the decibel level exceed 85dB?	YES/NO*
When fully occupied, are there likely to be more customers standing than seated?	YES/NO*
*Delete as appropriate	

**Question 6 (On-sales only)**

**CHILDREN AND YOUNG PERSONS**

6(a)	When alcohol is being sold for consumption on the premises will children or young persons be allowed entry	YES/NO*
	*Delete as appropriate	

6(b) Where the answer to 6(a) is YES provide statement of the **TERMS** under which they will be allowed entry

6(c) Provide statement regarding the **AGES** of children or young persons to be allowed entry

6(d) Provide statement regarding the **TIMES** during which children and young persons will be allowed entry

6(e) Provide statement regarding the **PARTS** of the premises to which children and young persons will be allowed entry



**Question 7**

***CAPACITY OF PREMISES***

*What is the proposed capacity of the premises to which this application relates?*

Meeting room	A.06.04 = 20
Meeting room	A.06.05 = 47
Meeting room	A.06.06 = 36
Meeting room	A.06.07 = 13
Reception	A.06.08 = 127
Internal circulation	A.06.11 = 130
Meeting room	A.06.11 = 26

**Question 8**

***PREMISES MANAGER (NOTE: not required where application is for grant of provisional premises licence)***

*Personal details*

*8(a) Name*

Fiona Hird

*8(b) Date of birth*

December 13<sup>th</sup> 1963

*8(c) Contact address*

10 Scylla Drive  
Cove  
Aberdeen  
AB12 3EG

*8(d) Email address*

hirdf@rbos.co.uk

--

*8(e) Personal licence*

<i>Date of issue</i>	<i>Name of Licensing Board issuing</i>	<i>Reference no. of personal licence</i>
September 1 <sup>st</sup> 2009	Aberdeen City	AC1612

**DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT**

**If signing on behalf of the applicant please state in what capacity.**

The contents of this operating plan are true to the best of my knowledge and belief.

Signature:



\* (see note below) **07789 282388**

Date: May 30<sup>th</sup> 2019

Capacity: Consultant to BaxterStorey Ltd

Telephone number and email address of signatory:

0844 736 1998

0203 900 2510

david.whitehead@dswgroup.co.uk

## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** PREMISES LICENCE

**PREMISES:** THE HOUSE OF BOTANICALS, ARCH 4, PALMERSTON ROAD,  
ABERDEEN

### BACKGROUND

- Premises providing on and off sales with conference facilities and meeting activities.

### OBJECTIONS/REPRESENTATIONS

- None

### POLICY

N/A

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\* required information

**Section 1 of 8**

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference  This is the unique reference for this application generated by the system.

Your reference  You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes  No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

**Applicant Details**

\* First name

\* Family name

\* E-mail

Main telephone number  Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

Applying as a business or organisation, including as a sole trader

Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

**Applicant Business**

\* Is your business registered in the UK with Companies House?  Yes  No

\* Registration number

\* Business name  If your business is registered, use its registered name.

\* VAT number   Put "none" if you are not registered for VAT.

\* Legal status

Continued from previous page...

\* Your position in the business

Home country

The country where the headquarters of your business is located.

**Registered Address**

Address registered with Companies House.

\* Building number or name

\* Street

District

\* City or town

County or administrative area

\* Postcode

\* Country

**Section 2 of 8**

**FURTHER DETAILS ABOUT THE APPLICANT**

\* Are you applying as an individual (includes sole traders)?

Yes  No

\* Are you applying as a members' club?

Yes  No

**Section 3 of 8**

**CONNECTED PEOPLE**

You must provide details of all COMPANY DIRECTORS and the SECRETARY (if the applicant is a company), all PARTNERS (if it is a partnership), OFFICE BEARERS (if it is a club or association), all OWNERS of the business or premises and all MANAGERS of the business or organisation. Check for local guidance notes and conditions which may clarify exact requirements.

\* Are there any such people for whom you need to provide details?

Yes  No

**Section 4 of 8**

**PREMISES TO BE LICENSED**

\* Name of premises/  
trading name

Continued from previous page...

### Premises Address

Is the address the same as (or similar to) the address given in section one?

Yes  No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

* Building number or name	<input type="text" value="The House of Botanicals"/>
* Street	<input type="text" value="Arch 4, Palmerston Road"/>
District	<input type="text"/>
* City or town	<input type="text" value="Aberdeen"/>
County or administrative area	<input type="text" value="Aberdeen City"/>
* Postcode	<input type="text" value="AB11 5RE"/>
* Country	<input type="text" value="United Kingdom"/>

### Contact Details

Are the contact details the same as (or similar to) those given in section one?

Yes  No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail	<input type="text" value="info@doctoradams.co.uk"/>
* Main telephone number	<input type="text" value="01224582992"/>
Other telephone number	<input type="text" value="07714099920"/>

### Description

\* Provide a description of the premises

## Section 5 of 8

### APPLICATION DETAILS

\* Type of application:

- Premises licence  
 Provisional premises licence

You must submit the following documents with this application:

- Operating plan
- Layout plan
- Planning certificate
- Building standards certificate
- Food hygiene certificate (if applicable)

Continued from previous page...

### Previous Applications

\* Has the prospective licence holder, or any connected person, previously been refused a premises licence for the same premises?

Yes  No

### Section 6 of 8

#### CONVICTIONS

\* Has the prospective licence holder, or any connected person, ever been convicted of a relevant or foreign offence?

Yes  No

The definition of a "relevant or foreign offence" is set out in The Licensing (Relevant Offences) (Scotland) Regulations 2007. A conviction is to be disregarded if it is spent for the purposes of the Rehabilitation of Offenders Act 1974 (or equivalent legislation).

Applicants should also familiarise themselves with the contents of section 24(1) of the Licensing (Scotland) Act 2005 in respect of any convictions for relevant or foreign offences which they may receive during the period between making the application and the determination of the application.

### Section 7 of 8

#### ADDITIONAL DETAILS

Provide any additional information which is required or relevant to your application (check for local guidance notes and conditions which may provide details of specific requirements in your area)

### Section 8 of 8

#### PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Category 1 ((a) Premises not entered on the valuation roll or have a nil valuation. (b) Premises whose main function is to provide a visitor attraction, (c) they are used wholly or mainly for the purposes of a club and (d) their main function is to provide accommodation that are not open to the public other than for the provision of accommodation, and any alcohol sold is to be consumed on the premises by guests being accommodated there.) £160.00

Category 2 - Rateable value: £1 to £11,500      £640.00

Category 3 - Rateable value: £11,501 to 35,000      £880.00

Category 4 - Rateable value: £35,001 to £70,000      £1040.00

Category 5 - Rateable value: £70,001 to £140,000      £1360.00

Category 6 - Rateable value: above £140,000      £1600.00

Please note that you must also complete the form 'Submit an operatin plan with a variation' and submit it at the same time as you submit this application.

\* Fee amount (£)

640.00



Continued from previous page...

**ATTACHMENTS**

**AUTHORITY POSTAL ADDRESS**

**Address**

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

**DECLARATION**

\* The contents of this application are true to the best of my knowledge and belief.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name	<input type="text"/>
* Capacity	<input type="text"/>
Date (dd/mm/yyyy)	<input type="text"/>

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence-2/aberdeen/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.



## OPERATING PLAN

Licensing (Scotland) Act 2005, section 20(2)(b)(i)

### Question 1

STATEMENT REGARDING ALCOHOL BEING SOLD ON PREMISES/OFF PREMISES OR BOTH

1(a) Will alcohol be sold for consumption solely ON the premises?	<del>NO</del>
1(b) Will alcohol be sold for consumption solely OFF the premises?	<del>NO</del>
1(c) Will alcohol be sold for consumption both ON and OFF the Premises?	YES <del>NO</del>
*Delete as appropriate	

### Question 2

STATEMENT OF **CORE** TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION **ON** PREMISES.

Day	ON Consumption	
	Opening time	Terminal Hours
Monday	12noon	10pm
Tuesday	12noon	10pm
Wednesday	12noon	10pm
Thursday	12noon	10pm
Friday	12noon	10pm
Saturday	12noon	10pm
Sunday	12noon	10pm

**Question 3**

STATEMENT OF **CORE** TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION **OFF** PREMISES.

Day	OFF Consumption	
	Opening time	Terminal Hours
Monday	10am	10pm
Tuesday	10am	10pm
Wednesday	10am	10pm
Thursday	10am	10pm
Friday	10am	10pm
Saturday	10am	10pm
Sunday	10am	10pm

**Question 4**

SEASONAL VARIATIONS

Does the applicant intend to operate according to seasonal demand	<input checked="" type="checkbox"/> YES / <input type="checkbox"/> NO*
---	--

\*if YES – provide details

**Question 5**

PLEASE INDICATE THE OTHER ACTIVITIES OR SERVICES THAT WILL BE PROVIDED ON THE PREMISES IN ADDITION TO SUPPLY OF ALCOHOL.

COL.1 5(a) Activity	COL.2 Please confirm YES/NO	COL.3 To be provided during core licensed hours - please confirm YES/NO	COL.4 Where activities are also to be provided outwith core licensed hours please confirm YES/NO
Accommodation	NO	N/A	N/A
Conference facilities	YES	YES	NO
Restaurant facilities	NO	NO	NO
Bar meals	NO	NO	NO
5 (b) Activity Social functions including:	Please confirm YES/NO	To be provided during core licensed hours - please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
Receptions including Weddings, funerals, birthdays, retirements etc	NO	NO	NO
Club or other group meetings etc	YES	YES	NO
5(c) Activity Entertainment including:	Please confirm YES/NO	To be provided during core licensed hours - please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
Recorded music - see 5(g)	NO	NO	NO
Live performances - see 5(g)	NO	NO	NO
Dance facilities	NO	NO	NO
Theatre	NO	NO	NO

Films	NO	NO	NO
Gaming	NO	NO	NO
Indoor/outdoor sports	NO	NO	NO
Televised sport	NO	NO	NO
5 (d) Activity	Please confirm YES/NO	To be provided during core licensed hours - please confirm  YES/NO	Where activities are also to be provided outwith core licensed hours please confirm  YES/NO
Outdoor drinking facilities	NO	NO	NO
5 (e) Activity	Please confirm YES/NO	To be provided during core licensed hours - please confirm  YES/NO	Where activities are also to be provided outwith core licensed hours please confirm  YES/NO
Adult entertainment	NO	NO	NO

Where you have answered YES in respect of any entry in column 4, please provide further details below.

N/A

5 (f) any other activities

If you proposed to provide any activities other than those lists in 5 (a) – (e) please provide details or further information in the box below.

OUR LIBRARY SPACE (THE MEETING ROOM) IS PRIMARILY TO BE USED FOR TASTINGS DURING TOURS OF OUR FACILITY, FOR OFF-SALE COLLECTIONS, AND WE MAY ON OCCASION USE THE SPACE IN COLLABORATION WITH CLUBS OR OTHER BUSINESSES AS A CONFERENCE SPACE.

5 (g) Late night premises opening after 1.00am

Where you have confirmed that you are providing live or recorded music, will the decibel level exceed 85db?	<del>YES</del> *
---	------------------

When fully occupied, are there likely to be more customers standing than seated?	<del>YES</del> /NO*
--	---------------------

*Delete as appropriate	
------------------------	--

**Question 6 (On-Sales only)**

CHILDREN AND YOUNG PERSONS

6(a) When alcohol is being sold for consumption on the premises will children or young persons be allowed entry?	<del>YES</del> /NO*
--	---------------------

*Delete as appropriate	
------------------------	--

6(b) Where the answer to 6(a) is YES provide statement of the **TERMS** under which they will be allowed entry.

N/A
-----

6 (c) Provide statement regarding the **AGES** of children or young persons to be allowed entry

N/A
-----

6 (d) Provide statement regarding the **TIMES** during which children and young persons will be allowed entry.

N/A
-----

- 6 (e) Provide statement regarding the **PARTS** of the premises to which children and young persons will be allowed entry.

N/A

**Question 7**

**CAPACITY OF PREMISES**

What is the proposed capacity of the premises to which this application relates?

TEN PEOPLE

**Question 8**

**PREMISES MANAGER (NOTE: not required where application is for grant of provisional premises licence)**

8 (a) Name

ADAM KUNEGIRAJ

8 (b) Date of birth

19-1-82

8 (c) Contact address

227 CORNHILL DRIVE, AJERABEEN, A1316 5HA

8 (d) Email address

ADAM@DOCTORADAMS.CO.UK



8 (e) Personal licence

Date of issue	Name of Licensing Board issuing	Reference no. of personal licence
21-3-18	ABERDEEN CITY	AC5218

**DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICATION**

If signing on behalf of applicant please state in what capacity.

The contents of this operating plan are true to the best of my knowledge and belief.

Signature  ..... \*(see note below)

Date 8-11-19 .....

Capacity ..... APPLICANT ~~AGENT~~ (delete as appropriate.)

Telephone number and email address of signatory .....  
07714099920 / ADAM@DOCTORADAMS.CO.UK

Postal Address of Agent (if appropriate) N/A .....

.....

.....

.....

**\* Data Protection Act 1998**

The information on this form may be held on an electronic public register which may be available to members of the public on request.

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## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** VARIATION OF PREMISES LICENCE

**PREMISES:** BRUNSWICK STORES, 20 BEACH BOULEVARD, ABERDEEN

### BACKGROUND

- Variation to off sales terminal hour from 21:00 to 22:00 on Monday to Sunday.
- Variation to increase off sales capacity from 3.48 sqm to 6.96 sqm.

### OBJECTIONS/REPRESENTATIONS

- None

### POLICY

N/A

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**ABERDEEN CITY LICENSING BOARD**  
**APPLICATION FOR VARIATION OF PREMISES LICENCE**

Licensing (Scotland) Act 2005, section 29/31

Complete all sections of the application form.



**SECTION 1 - TYPE OF VARIATION**

Tick one box only

Is the application for a variation in terms of section 29 (5)?  See note 1

Is the application for a minor variation in terms of section 29 (6)?  See note 2

**SECTION 2 - APPLICANT INFORMATION**

a) Name, address and postcode of premises

<b>Name of premises</b>	Brunswick Stores
<b>Address of premises (including postcode)</b>	20 Beach Boulevard, Aberdeen, AB24 5HD.

b) Particulars of premises licence holder

<b>Name of premises licence holder</b>	Sasigeehan Sammucam
<b>Address (including postcode)</b>	Flat 20, Caroline Apartments, Forbes Street, Aberdeen, AB25 2WN.

c) Premises Licence

<b>I have enclosed the premises Licence</b>	YES <input checked="" type="checkbox"/>	NO* <input type="checkbox"/>
<b>*If No please provide reason(s) for failure to produce the premises licence</b>		

**SECTION 3 - DETAILS OF VARIATION**

- a) Is the variation to any local condition(s)? YES  NO

If YES, describe below which condition(s) is to be varied and the variation sought

- b) Is the variation to the Operating Plan? YES  NO

If YES attach to this application the proposed operating plan and describe below the variation sought – continue on a separate page if necessary.

To change the closing time/terminal hour from 21:00 hrs to 22:00 hrs each day.

To increase the capacity from 3.48 square meters - to 6.96 square meters.

- c) Is the variation to the layout plan? YES  NO

If YES, submit 6 copies of the proposed plan and describe below the variation sought – continue on a separate page if necessary.

To increase capacity to 6.96 square metres

- d) Do you propose to vary any other information contained or referred to in the licence, including any addition, deletion or other modification? YES  NO

If YES please provide details below.

- e) Do you propose to vary the information contained in the licence relating to the details of the current premises manager? (e.g. Change of address) YES  NO

If YES please provide details below.

- f) Are you intimating the substitution of a new premises Manager? YES  NO

Please provide details below:

(i) Name of proposed premises manager

(ii) Date of birth of proposed premises manager

(iii) Postal address of proposed premises manager

(iv) Email address and telephone number of proposed premises manager

--

(v) Personal licence details of proposed premises manager

Date of issue	Name of Licensing Board issuing	Reference no. of personal licence

Please note that the holder of a Personal Licence may only be named as the Premises Manager of one premises in Scotland at any time subject to Article 4 of the Licensing (Vessels etc.) (Scotland) Regulations 2007.

**DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT**

If signing on behalf of the applicant please state in what capacity.

The contents of this Application are true to the best of my knowledge and belief.

Signature ..... *[Handwritten Signature]* ..... Print Name ..... \* (see note below)

Date ..... *23/10/19* .....

Capacity:  APPLICANT /  AGENT (delete as appropriate)

Telephone number and email address of signatory .....

*01224 586685      legalandproperty@hamiltonwatt.co.uk*

Postal Address of Agent (if appropriate) .....

.....  
**Hamilton Watt & Co.**  
 4 Bon Accord Crescent  
 Aberdeen  
 AB11 6DH

I have enclosed the relevant documents with this application – please tick the relevant boxes	
Application Fee	
Premises Licence	
Operating plan (If appropriate)	
Layout plan (if appropriate)	
Draft Operating Plan (if appropriate)	
Amended Layout plan (if appropriate)	



**\* Data Protection Act 1998**

The information on this form may be held on an electronic public register which may be available to members of the public on request.

<b><u>For use by the Licensing Board only</u></b>	
<b>Application checklist</b>	
<b>Date received</b>	
<b>Fee amount</b>	
<b>Receipt number</b>	
<b>Received by (INITIALS)</b>	
<b>Consideration date</b>	
<b>Last date for consideration</b>	
<b>Date of initial hearing</b>	
<b>Date of any modification hearing</b>	
<b>Date granted/refused (delete as appropriate)</b>	

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## OPERATING PLAN

Licensing (Scotland) Act 2005, section 20(2)(b)(i)

### Question 1

STATEMENT REGARDING ALCOHOL BEING SOLD ON PREMISES/OFF PREMISES OR BOTH

1(a) Will alcohol be sold for consumption solely ON the premises?	<del>YES</del> /NO*
1(b) Will alcohol be sold for consumption solely OFF the premises?	YES/ <del>NO</del> *
1(c) Will alcohol be sold for consumption both ON and OFF the Premises?	<del>YES</del> /NO*
*Delete as appropriate	

### Question 2

STATEMENT OF CORE TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION ON PREMISES.

Day	ON Consumption	
	Opening time	Terminal Hours
Monday	N/A	N/A
Tuesday	N/A	N/A
Wednesday	N/A	N/A
Thursday	N/A	N/A
Friday	N/A	N/A
Saturday	N/A	N/A
Sunday	N/A	N/A



**Question 5**

PLEASE INDICATE THE OTHER ACTIVITIES OR SERVICES THAT WILL BE PROVIDED ON THE PREMISES IN ADDITION TO SUPPLY OF ALCOHOL.

COL.1 5(a) Activity	COL.2 Please confirm YES/NO	COL.3 To be provided during core licensed hours – please confirm  YES/NO	COL.4 Where activities are also to be provided outwith core licensed hours please confirm  YES/NO
Accommodation	N	N/A	N/A
Conference facilities	N	N	N
Restaurant facilities	N	N	N
Bar meals	N	N	N
<b>5 (b) Activity</b> <b>Social functions</b> <b>including:</b>	<b>Please confirm</b> <b>YES/NO</b>	<b>To be provided</b> <b>during core</b> <b>licensed hours –</b> <b>please confirm</b>  <b>YES/NO</b>	<b>Where activities are</b> <b>also to be provided</b> <b>outwith core</b> <b>licensed hours</b> <b>please confirm</b>  <b>YES/NO</b>
Receptions including Weddings, funerals, birthdays, retirements etc	N	N	N
Club or other group meetings etc	N	N	N
<b>5(c)</b> <b>Activity</b> <b>Entertainment</b> <b>Including:</b>	<b>Please confirm</b> <b>YES/NO</b>	<b>To be provided</b> <b>during core</b> <b>licensed hours –</b> <b>please confirm</b>  <b>YES/NO</b>	<b>Where activities are</b> <b>also to be provided</b> <b>outwith core</b> <b>licensed hours</b> <b>please confirm</b>  <b>YES/NO</b>
Recorded music – see 5(g)	N	N	N
Live performances – see 5(g)	N	N	N
Dance facilities	N	N	N
Theatre	N	N	N

Films	2	2	2
Gaming	2	2	2
Indoor/outdoor sports	2	2	2
Televised sport	2	2	2
<b>5 (d) Activity</b>	<b>Please confirm YES/NO</b>	<b>To be provided during core licensed hours – please confirm</b>	<b>Where activities are also to be provided outwith core licensed hours please confirm</b>
		<b>YES/NO</b>	<b>YES/NO</b>
Outdoor drinking facilities	2	2	2
<b>5 (e) Activity</b>	<b>Please confirm YES/NO</b>	<b>To be provided during core licensed hours – please confirm</b>	<b>Where activities are also to be provided outwith core licensed hours please confirm</b>
		<b>YES/NO</b>	<b>YES/NO</b>
Adult entertainment	1	2	2

Where you have answered YES in respect of any entry in column 4, please provide further details below.

**5 (f) any other activities**

If you proposed to provide any activities other than those lists in 5 (a) – (e) please provide details or further information in the box below.

Sale of groceries, stationery, newspapers and magazines, alcohol for off-sale, bakery goods, cigarettes, sweets, soft drinks, hot snacks, e-top up, lottery and ancillary items etc. Open from 6:00 Mondays to Fridays and 07:00 weekends for non-alcohol sales.

5 (g) Late night premises opening after 1.00am

N/A

Where you have confirmed that you are providing live or recorded music, will the decibel level exceed 85db?	YES/NO*
---	---------

When fully occupied, are there likely to be more customers standing than seated?	YES/NO*
*Delete as appropriate	

**Question 6 (On-Sales only)**

N/A

**CHILDREN AND YOUNG PERSONS**

6(a)	When alcohol is being sold for consumption on the premises will children or young persons be allowed entry?	YES/NO*
	*Delete as appropriate	

6(b) Where the answer to 6(a) is YES provide statement of the **TERMS** under which they will be allowed entry.

6 (c) Provide statement regarding the **AGES** of children or young persons to be allowed entry

6 (d) Provide statement regarding the **TIMES** during which children and young persons will be allowed entry.

6 (e) Provide statement regarding the **PARTS** of the premises to which children and young persons will be allowed entry.

**Question 7**

**CAPACITY OF PREMISES**

What is the proposed capacity of the premises to which this application relates?

Off Sales 6.96 square metres

**Question 8**

**PREMISES MANAGER (NOTE: not required where application is for grant of provisional premises licence)**

8 (a) Name

Sasigeehan Sammucam

8 (b) Date of birth

7 June 1982

8 (c) Contact address

Flat 20, Caroline Apartments, Forbes Street,  
Aberdeen, AB25 2WN

8 (d) Email address

sasigeethan82@hotmail.it



8 (e) Personal licence

Date of issue	Name of Licensing Board issuing	Reference no. of personal licence
27 March 2019	Aberdeen City	AC5598

**DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICATION**

If signing on behalf of applicant please state in what capacity.

The contents of this operating plan are true to the best of my knowledge and belief.

Signature .....  ..... \*(see note below)

Date ..... 23/10/19 .....

Capacity ..... ~~APPLICANT/AGENT~~ (delete as appropriate.)

Telephone number and email address of signatory .....

..... 01224 586685 legalandproperty@  
hamiltonwatt.co.uk .....

Postal Address of Agent (if appropriate) .....

.....  
Hamilton Watt & Co.  
4 Bon Accord Crescent  
Aberdeen  
AB11 6DH  
.....

**\* Data Protection Act 1998**

The information on this form may be held on an electronic public register which may be available to members of the public on request.

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## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** VARIATION OF PREMISES LICENCE

**PREMISES:** CHARLIE'S, 97 KEPPLHILLS ROAD, ABERDEEN

### DESCRIPTION

- Variation to location and size of alcohol display areas.

### OBJECTIONS/REPRESENTATIONS

- None

### POLICY

N/A

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**ABERDEEN CITY LICENSING BOARD**  
**APPLICATION FOR VARIATION OF PREMISES LICENCE**

Licensing (Scotland) Act 2005, section 29/31

Complete all sections of the application form.

**SECTION 1 - TYPE OF VARIATION**

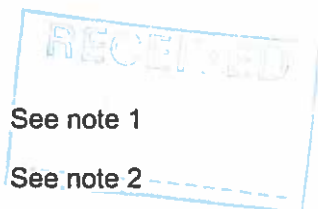
Tick one box only

Is the application for a variation in terms of section 29 (5)?

See note 1

Is the application for a minor variation in terms of section 29 (6)?

See note 2



**SECTION 2 - APPLICANT INFORMATION**

a) Name, address and postcode of premises

<b>Name of premises</b>	Charlie's (ACT 818)
<b>Address of premises (including postcode)</b>	97 Kepplehills Road, Bucksburn, Aberdeen, AB21 9HD

b) Particulars of premises licence holder

<b>Name of premises licence holder</b>	Gobika Sivalingam
<b>Address (including postcode)</b>	161 Victoria Street, Dyce, Aberdeen, AB21 7DL

c) Premises Licence

<b>I have enclosed the premises Licence</b>	YES
<b>*If No please provide reason(s) for failure to produce the premises licence</b>	

**SECTION 3 - DETAILS OF VARIATION**

a) Is the variation to any local condition(s)? NO

If YES, describe below which condition(s) is to be varied and the variation sought

n/a

b) Is the variation to the Operating Plan? YES

If YES attach to this application the proposed operating plan and describe below the variation sought – continue on a separate page if necessary.

**Change location and size of alcohol display areas**  
**Inaccessible - 8.4 sq.m**  
**Accessible 23.66 sq.m**

**Total 32.6 sq.m**  
add in take in deliveries for web purchases collection point ; add in deliver groceries including alcohol

c) Is the variation to the layout plan? YES

If YES, submit 6 copies of the proposed plan and describe below the variation sought – continue on a separate page if necessary.

Change location and size of alcohol display areas  
Inaccessible - 8.4 sq.m  
Accessible 23.66 sq.m  
  
Total 32.6 sq.m see plan attached  
~~add in take in deliveries for web purchases, add in deliver groceries including alcohol~~

- d) Do you propose to vary any other information contained or referred to in the licence, including any addition, deletion or other modification? **NO**

If YES please provide details below.

n/a

- e) Do you propose to vary the information contained in the licence relating to the details of the current premises manager? (e.g. Change of address) **NO**

If YES please provide details below.

n/a

- f) Are you intimating the substitution of a new premises Manager? **NO**

Please provide details below:

- (i) Name of proposed premises manager

- (ii) Date of birth of proposed premises manager

- (iii) Contact address of proposed premises manager

(iv) Email address and telephone number of proposed premises manager

(v) Personal licence details of proposed premises manager

Date of issue	Name of Licensing Board issuing	Reference no. of personal licence

**Please note that the holder of a Personal Licence may only be named as the Premises Manager of one premises in Scotland at any time subject to Article 4 of the Licensing (Vessels etc.) (Scotland) Regulations 2007.**

**DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT**

If signing on behalf of the applicant please state in what capacity.

The contents of this Application are true to the best of my knowledge and belief.

Signature .....  ..... Print Name.....Janet Hood note below)

Date .....16 October 2019

Capacity: AGENT (delete as appropriate)

Janet Hood Training and Consulting Limited

SC534109

E: [janethood@mc.com](mailto:janethood@mc.com) - PLEASE RESPOND TO ME BY EMAIL

A: Kirkton of Balfour, Edzell, Brechin, Angus, DD9 7XU

T: 01356 648966

M: 0771 888 2837

<b>I have enclosed the relevant documents with this application – please tick the relevant boxes</b>	
Application Fee	£150.00
Premises Licence	Yes
Operating plan (If appropriate)	Yes



Layout plan (if appropriate)	Yes
Draft Operating Plan (if appropriate)	Yes
Amended Layout plan (if appropriate)	Yes

**\* Data Protection Act 1998**

The information on this form may be held on an electronic public register which may be available to members of the public on request.

<b><u>For use by the Licensing Board only</u></b>	
<b>Application checklist</b>	
<b>Date received</b>	
<b>Fee amount</b>	
<b>Receipt number</b>	
<b>Received by (INITIALS)</b>	
<b>Consideration date</b>	
<b>Last date for consideration</b>	
<b>Date of initial hearing</b>	
<b>Date of any modification hearing</b>	
<b>Date granted/refused (delete as appropriate)</b>	

**LICENSING (SCOTLAND) ACT 2005**  
**Application for Variation of a Premises Licence**  
**Guidance Notes**

Note 1:

A variation, in relation to a premises licences, means any variation of

- (a) any of the conditions to which the licence is subject (other than mandatory conditions)
- (b) any of the information contained in the operating plan,
- (c) the layout plan contained in the licence, or
- (d) any other information contained or referred to in the licence,

and includes an addition, deletion or other modification.

Note 2

A minor variation:

- (a) means a variation of the layout plan, if the variation does not result in any inconsistency with the operating plan
- (b) relates to a restriction of the terms on which children or young persons are allowed entry to the premises,
- (c) any variation of the information contained in the licence relating to the premises manager (including a variation so as to substitute a new premises manager),

Fees

The fee payable in respect of an application under section 29(1) of the Act is—

- (a) £31 if the application is one to substitute the premises manager and any other variation sought in the application is a minor variation;
  - (b) £20 if the application seeks only a minor variation or variations and does not fall within paragraph (a) above.
- (2) The fee payable in respect of any other application under section 29(1) of the Act is £150.

G:\Apps\Liquor Application Forms\APPLICATION FOR VARIATION TO A PREMISES LICENCE.doc

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**OPERATING PLAN**  
**Charlie's AC/818**  
**Licensing (Scotland) Act 2005, section 20(2)(b)(i)**

**Question 1**

STATEMENT REGARDING ALCOHOL BEING SOLD ON PREMISES/OFF PREMISES OR BOTH

1(a) Will alcohol be sold for consumption solely ON the premises?	NO
1(b) Will alcohol be sold for consumption solely OFF the premises?	YES
1(c) Will alcohol be sold for consumption both ON and OFF the Premises?	NO
*Delete as appropriate	

**Question 2**

STATEMENT OF CORE TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION ON PREMISES.

Day	ON Consumption	
	Opening time	Terminal Hours
Monday	n/a	
Tuesday		
Wednesday		
Thursday		
Friday		
Saturday		
Sunday		

**Question 3**

STATEMENT OF CORE TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION OFF PREMISES.

Day	OFF Consumption	
	Opening time	Terminal Hours
Monday	1000	2200
Tuesday	1000	2200
Wednesday	1000	2200
Thursday	1000	2200
Friday	1000	2200
Saturday	1000	2200
Sunday	1000	2200

**Question 4**

SEASONAL VARIATIONS

Does the applicant intend to operate according to seasonal demand	NO*
---	-----

\*if YES – provide details

n/a
-----

**Question 5**

PLEASE INDICATE THE OTHER ACTIVITIES OR SERVICES THAT WILL BE PROVIDED ON THE PREMISES IN ADDITION TO SUPPLY OF ALCOHOL.

<b>COL.1 5(a) Activity</b>	<b>COL.2 Please confirm YES/NO</b>	<b>COL.3 To be provided during core licensed hours – please confirm  YES/NO</b>	<b>COL.4 Where activities are also to be provided outwith core licensed hours please confirm  YES/NO</b>
Accommodation	n	N/A	N/A
Conference facilities	n		
Restaurant facilities	n		
Bar meals	n		
<b>5 (b) Activity Social functions including:</b>	<b>Please confirm YES/NO</b>	<b>To be provided during core licensed hours – please confirm  YES/NO</b>	<b>Where activities are also to be provided outwith core licensed hours please confirm  YES/NO</b>
Receptions including Weddings, funerals, birthdays, retirements etc	n		
Club or other group meetings etc	n		
<b>5(c) Activity Entertainment including:</b>	<b>Please confirm YES/NO</b>	<b>To be provided during core licensed hours – please confirm  YES/NO</b>	<b>Where activities are also to be provided outwith core licensed hours please confirm  YES/NO</b>
Recorded music – see 5(g)	y	y	y

Live performances – see 5(g)	n		
Dance facilities	n		
Theatre	n		
Films	n		
Gaming	n		
Indoor/outdoor sports	n		
Televised sport	n		
<b>5 (d) Activity</b>	<b>Please confirm YES/NO</b>	<b>To be provided during core licensed hours – please confirm  YES/NO</b>	<b>Where activities are also to be provided outwith core licensed hours please confirm  YES/NO</b>
Outdoor drinking facilities	n		
<b>5 (e) Activity</b>	<b>Please confirm YES/NO</b>	<b>To be provided during core licensed hours – please confirm  YES/NO</b>	<b>Where activities are also to be provided outwith core licensed hours please confirm  YES/NO</b>
Adult entertainment	n		

Where you have answered YES in respect of any entry in column 4, please provide further details below.

Background music played during all opening hours

5 (f) any other activities



If you proposed to provide any activities other than those lists in 5 (a) – (e) please provide details or further information in the box below.

Opening from 0500 daily  
 Sale of groceries, fresh and frozen foods and vegetables, confectionary, soft drinks, cigarettes, newspapers and magazines, cash point and national lottery  
 Deliveries of food, drink including alcohol , newspapers etc - please see policy attached ; accept web purchase deliveries for collection

5 (g) Late night premises opening after 1.00am n/a

Where you have confirmed that you are providing live or recorded music, will the decibel level exceed 85db?	YES/NO*
---	---------

When fully occupied, are there likely to be more customers standing than seated?	YES/NO*
--	---------

*Delete as appropriate	
------------------------	--

**Question 6 (On-Sales only)**

CHILDREN AND YOUNG PERSONS n/a

6(a) When alcohol is being sold for consumption on the premises will children or young persons be allowed entry?	YES/NO*
--	---------

*Delete as appropriate	
------------------------	--

6(b) Where the answer to 6(a) is YES provide statement of the **TERMS** under which they will be allowed entry.

6 (c) Provide statement regarding the **AGES** of children or young persons to be allowed entry

6 (d) Provide statement regarding the **TIMES** during which children and young persons will be allowed entry.

6	

**Question 7**

**CAPACITY OF PREMISES**

What is the proposed capacity of the premises to which this application relates?

Inaccessible - 8.4 sq.m - Accessible 23.66 sq.m Total 32.6 sq.m see plan attached Total 32.6 sq.m
--

**Question 8**

**PREMISES MANAGER (NOTE: not required where application is for grant of provisional premises licence)**

8 (a) Name

Clifton John Fernandez
------------------------

8 (b) Date of birth

4 August 1983
---------------

8 (c) Contact address

17A, Cairnfield Place, Aberdeen, AB21 9LT

8 (d) Email address

cliffon.fernandez@gmail.com

Date of issue	Name of Licensing Board issuing	Reference no. of personal licence
22 February 2018	Aberdeen City	AC5253

**DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICATION**

If signing on behalf of applicant please state in what capacity.

The contents of this operating plan are true to the best of my knowledge and belief.

Signature .....  ..... \*(see note below)

Date ..... 16 October 2019

Capacity ..... APPLICANT (delete as appropriate.)

Janet Hood Training and Consulting Limited

SC534109

E: [janethood@mc.com](mailto:janethood@mc.com) - PLEASE RESPOND TO ME BY EMAIL

A: Kirkton of Balfour, Edzell, Brechin, Angus, DD9 7XU

T: 01356 648966

M: 0771 888 2837

**\* Data Protection Act 1998**

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## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** VARIATION OF PREMISES LICENCE  
**PREMISES:** NAMASTE DELHI, 64 BRIDGE STREET, ABERDEEN

### BACKGROUND

- Variation to opening time from 10:00 to 12:00 and terminal hour from 23:00 to 02:00 on Sunday to Thursday. Opening time from 10:00 to 12:00 and terminal hour from 23:00 to 03:00 on Friday and Saturday.
- Include off sales consumption Monday to Sunday from 12:00 to 22:00.
- Variation to include seasonal variation.
- To amend the description under section 5 to reflect the inclusion of conference facilities, bar meals, social functions, live performances, dance facilities, theatre, films, indoor/outdoor sports during and outwith core licensed hours.
- To include gaming under section 5(g) during core licensed hours.
- Include alcohol delivery with takeaway food.
- Amendment to the times in which children and young persons are permitted access.

### OBJECTIONS/REPRESENTATIONS

- Member of the Public

### POLICY

#### **Preventing Crime & Disorder**

The Board is committed to improving the quality of life for the people of the city by adopting and enforcing policies designed to increase community safety and reduce the threats of crime and disorder.

In terms of this licensing objective the Board considers there to be a number of factors including, but not limited to:

- Underage drinking
- Drunkenness
- Illegal substances
- Violent behaviour
- Anti-social behaviour
- Vulnerability

In order to combat the risks inherent with the sale of alcohol the Board will seek to operate a partnership approach with licence holders, applicants and partner agencies.

#### What the Board Will Do:

- Apply appropriate conditions to licences to mitigate the risk of potential crime or disorder, including but not limited to a local condition on duty of care on all on-sales premises.
- Ensure all licences are up to date and fit for purpose.
- Work closely with all stakeholders to ensure all relevant information is kept up to date and accessible.
- Endorse initiatives designed to prevent crime and disorder.
- Consider the review of licences where a breach of the licensing objective cannot be rectified by other means.

#### What the Board Will Expect of Licence Holders

- Effective and responsible management of premises including evidence of written procedures for managing incidents.
- Up to date training and supervision of staff.
- Provision of effective CCTV in and around premises.
- Provision of external lighting and security measures.
- Employment of SIA registered door supervisors when appropriate.
- Use of radiolink or other such scheme.
- Adherence to the Board's Drugs Policy.
- Enforcement of Challenge 25.
- Adoption of best practice guidance where available.
- Evidence of a relevant dispersal policy where appropriate.
- Co-operation with police and Licensing Standards Officers.

#### What the Board Will Expect of Partner Agencies

- Provision of all relevant up to date information as the Board requires.
- Involvement in mediation/intervention procedures to rectify any problem areas.
- Involvement in Premises Licence Review as a last resort.

### **Preventing Public Nuisance**

The Board believes that licensed premises have the potential to have a significant impact on communities. It wishes to maintain and protect the amenity of the surrounding neighbourhoods whilst recognising the valuable cultural and social aspects of such premises.

Whilst licensing powers are not the main statutory mechanism for dealing with public nuisance in general the Board will interpret public nuisance in a wider sense where it relates to the operation of licensed premises, and in particular issues such as noise and litter.

Again, a number of factors should be considered including, but not limited to:

- Location of premises. In particular the proximity to residential or noise sensitive premises such as medical facilities, sheltered housing, schools, places of worship, nurseries and suchlike.

- Hours of operation. Closely related to the location of the premises, the hours of operation should reflect what is appropriate for the surrounding neighbourhood. The terminal hours indicated in the Supplementary Policy on Licensed Hours are the maximum available and will not be suitable for all premises.
- Nature of activities. Any activities carried on in the licensed premises should not be detrimental to the ambience of the locality.
- Outdoor areas. The Board will include a Supplementary Policy on this issue, but applicants will require to ensure that the inclusion of an outdoor licensed area in any premises is appropriate and will not contravene the licensing objective of preventing public nuisance.
- Smoking areas. These should be designed to minimise public nuisance and regularly monitored to cut down on noise and litter.
- Noise from patrons entering and exiting the premises.

#### What the Board Will Do:

- Consider the proximity of proposed licensed premises to noise sensitive premises when considering applications.
- Ensure that licensed hours and activities are appropriate for the type of premises and locality. The terminal hours indicated in the Supplementary Policy on Licensed Hours are the maximum available and will not be suitable for all premises.
- Improve communication between the trade, partners and local communities.
- Impose additional licence conditions where appropriate to prevent public nuisance.
- Highlight best practice where available and increase awareness and education on potential areas of risk.

#### What the Board Will Expect of Licence Holders/Applicants:

- Take a proactive approach to public nuisance with a risk-based approach.
- Be mindful of the location of the premises, hours of operation and activities.
- Comply with all conditions of the premises licence.
- Ensure appropriate control measures are in place and staff training is up to date and relevant.
- Consider public nuisance when establishing the design and layout of the premises.
- Adequate supervision of any outdoor area, smoking area and patrons entering/exiting the premises.
- Sharing of best practice via trade groups.
- Participation in communication to resolve any issues that may arise.

- Co-operation with Police Scotland and Licensing Standards Officers including access to all relevant policies and procedures such as dispersal policies and incident management.

## **Securing Public Safety**

The Board is committed to ensuring the safety of persons within licensed premises as well as those in the surrounding areas.

When considering this licensing objective, a number of factors should be considered including, but not limited to:

- Capacity – this will be assessed by the Council's Building Standards department to establish a maximum safe capacity figure in terms of the regulations. Please note the safe maximum operating figure may be smaller than the technical figure.
- Maintenance of premises.
- Fire safety.
- Suitability of glassware or alternatives to glass including toughened or safety glass.
- Disabled access and facilities.
- Nature of activities to be carried out on the premises.
- Vulnerability of patrons.

Again, the Board will look to operate a partnership approach with all stakeholders in order to ensure that public safety is not compromised by the operation of licensed premises.

Whilst licensing is an important tool in the protection of public health it will not be sufficient in isolation and accordingly the Board will be interested in hearing from and working alongside relevant partners and interested parties where appropriate. Factors to be considered in connection with this particular licensing objective include, but are not limited to:

- Access to alcohol by vulnerable persons
- Excessive consumption
- Irresponsible promotion of alcohol
- Education of unit strength of alcohol

### **What the Board Will Do:**

- Utilise local conditions on licences where appropriate.
- Liaise with public health organisation, the local licensing forum and other relevant parties.
- Monitor the number and capacity of premises, public health data and overprovision policies.
- Contribute to raising awareness of the licensing system.



#### What the Board Will Expect of Licence Holders/Applicants

- Proactive layout of off-sales premises to discourage impulse buying.
- Adequate staff training, including refusals policy and incident recording.
- Availability of low/non-alcoholic products and soft drinks.
- Licensed hours reflective of operating hours.
- Awareness of irresponsible promotions.

#### What the Board Will Expect of Partner Agencies:

- Effective communication of relevant trends and information.
- Provision of accurate statistics to assist with Board policy and decision making.
- Participation in efforts to increase public awareness of initiatives to protect and improve public health.

### **Protecting Children and Young Persons from Harm**

The Board recognises that the question of access to licensed premises by children and young persons is not one that can be answered with a one size fits all type of approach. The suitability of premises will depend on a number of factors including layout of the premises, activities or services available, and typical customer demographic.

Applicants and licence holders should also be aware that access for children and young persons will bring with it additional responsibilities and may result in additional conditions being attached to the licence.

#### What the Board Will Do:

- Assess all applications for suitability of access for children and young persons.
- Impose additional conditions where necessary to protect children and young persons from harm.
- Limit the hours during which children and young persons have access if appropriate.
- Limit activities which may take place on the licensed premises during hours in which children and young persons have access if appropriate.

#### What the Board Will Expect of Licence Holders/Applicants

- Consider the ambience of premises and what is appropriate in terms of children and young persons' access.
- Ensure facilities are appropriate to the areas of the premises to which children and young persons are to be afforded access.
- Vigilance against underage drinking and proxy purchasing.
- Strict enforcement of Challenge 25.
- Comprehensive and up to date staff training.

- Restrict access for children and young persons to appropriate hours and parts of the premises.

INPUT  
15 NOV 2019

## ABERDEEN CITY LICENSING BOARD

### APPLICATION FOR VARIATION OF PREMISES LICENCE

Licensing (Scotland) Act 2005, section 29/31

Complete all sections of the application form.

#### SECTION 1 - TYPE OF VARIATION

Tick one box only

Is the application for a variation in terms of section 29 (5)? See note 1

Is the application for a minor variation in terms of section 29 (6)? See note 2

#### SECTION 2 - APPLICANT INFORMATION

a) Name, address and postcode of premises

<b>Name of premises</b>	AC827
<b>Address of premises (including postcode)</b>	Namaste Delhi 64 Bridge Street Aberdeen AB11 6JN

b) Particulars of premises licence holder

<b>Name of premises licence holder</b>	Namaste Delhi SLR Ltd Company registration number 11717395
<b>Address (including postcode)</b>	20-22 Wenlock Road London N1 7GU

c) Premises Licence

<b>I have enclosed the premises Licence</b>	YES
<b>*If No please provide reason(s) for failure to produce the premises licence</b>	



**SECTION 3 - DETAILS OF VARIATION**

a) Is the variation to any local condition(s)? YES

If YES, describe below which condition(s) is to be varied and the variation sought

n/a

b) Is the variation to the Operating Plan?  YES  NO

If YES attach to this application the proposed operating plan and describe below the variation sought – continue on a separate page if necessary.

1. Change core hours to noon - 0200 Sunday - Thursday and Noon - 0300 Friday and Saturday
  2. Add in off sales hours with food delivery or in connection with food eaten in restaurant only - deliveries minimum £10.00 spend before alcohol part of delivery; delivery policy attached - alcohol sales end 2200 - no alcohol delivery between Midnight and 0600; Duty of care policy attached
  3. 5.a add in bar meals and conference facilities (business meetings etc) columns 2,3,4
  5. (b) add column 4 to receptions and club meetings
  5. (c) add in live performances, dance, theatre, film, gaming (casino nights, race nights, poker events) columns 2,3 add in computer games events and playing
  5. Column 4 yes - Premises can open from 0800 for service of food and non alcoholic beverages, including takeaway food and non alcoholic beverages, commencement of business meetings - takeaway food home and office be served until 0300 Sunday - Thursday and 0400 Friday and Saturday. Background music can be played at all times premises are open
  - 5(f) Breakfasts, teas, coffees, snacks; conferences, Indian and other nations' cultural events and activities  
Add food and drink tasting and matching and promotions, food education including cookery displays  
Add in Accompanied Children and Unaccompanied Young persons can access the premises to attend cultural events until 2300 or until 0100 for private functions

c) Is the variation to the layout plan? YES

If YES, submit 6 copies of the proposed plan and describe below the variation sought – continue on a separate page if necessary.

- d) Do you propose to vary any other information contained or referred to in the licence, including any addition, deletion or other modification? YES NO

If YES please provide details below.

- e) Do you propose to vary the information contained in the licence relating to the details of the current premises manager? (e.g. Change of address) YES NO

If YES please provide details below.

- f) Are you intimating the substitution of a new premises Manager? YES NO

Please provide details below:

- (i) Name of proposed premises manager

- (ii) Date of birth of proposed premises manager

- (iii) Contact address of proposed premises manager

(iv) Email address and telephone number of proposed premises manager

(v) Personal licence details of proposed premises manager

Date of issue	Name of Licensing Board issuing	Reference no. of personal licence

**Please note that the holder of a Personal Licence may only be named as the Premises Manager of one premises in Scotland at any time subject to Article 4 of the Licensing (Vessels etc.) (Scotland) Regulations 2007.**

**DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT**

**If signing on behalf of the applicant please state in what capacity.**

The contents of this Application are true to the best of my knowledge and belief.

Signature .....  ..... Print Name....Janet Hood note below)

Date ...7 October 2019

Capacity: AGENT (delete as appropriate)

Janet Hood Training and Consulting Limited

SC534109

E: [janethood@me.com](mailto:janethood@me.com) - PLEASE RESPOND TO ME BY EMAIL

A: Kirkton of Balfour, Edzell, Brechin, Angus, DD9 7XU

T: 01356 648966

M: 0771 888 2837

I have enclosed the relevant documents with this application – please tick the relevant boxes	
Application Fee	£150.00
Premises Licence	Yes
Operating plan (If appropriate)	Yes

Layout plan (if appropriate)	No
Draft Operating Plan (if appropriate)	n/a
Amended Layout plan (if appropriate)	n/a

**\* Data Protection Act 1998**

The information on this form may be held on an electronic public register which may be available to members of the public on request.

<b><u>For use by the Licensing Board only</u></b>	
<b>Application checklist</b>	
<b>Date received</b>	15/10/19
<b>Fee amount</b>	£150.00
<b>Receipt number</b>	
<b>Received by (INITIALS)</b>	SV.
<b>Consideration date</b>	
<b>Last date for consideration</b>	
<b>Date of initial hearing</b>	
<b>Date of any modification hearing</b>	
<b>Date granted/refused (delete as appropriate)</b>	



**LICENSING (SCOTLAND) ACT 2005**  
**Application for Variation of a Premises Licence**  
**Guidance Notes**

**Note 1:**

A variation, in relation to a premises licences, means any variation of

- (a) any of the conditions to which the licence is subject (other than mandatory conditions)
- (b) any of the information contained in the operating plan,
- (c) the layout plan contained in the licence, or
- (d) any other information contained or referred to in the licence,

and includes an addition, deletion or other modification.

**Note 2**

A minor variation:

- (a) means a variation of the layout plan, if the variation does not result in any inconsistency with the operating plan
- (b) relates to a restriction of the terms on which children or young persons are allowed entry to the premises,
- (c) any variation of the information contained in the licence relating to the premises manager (including a variation so as to substitute a new premises manager),

**Fees**

The fee payable in respect of an application under section 29(1) of the Act is–

- (a) £31 if the application is one to substitute the premises manager and any other variation sought in the application is a minor variation;
- (b) £20 if the application seeks only a minor variation or variations and does not fall within paragraph (a) above.
- (2) The fee payable in respect of any other application under section 29(1) of the Act is £150.

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## OPERATING PLAN

**Licensing (Scotland) Act 2005, section 20(2)(b)(i)**

### NAMASTE DELHI

**Question 1 AGREED**

STATEMENT REGARDING ALCOHOL BEING SOLD ON PREMISES/OFF PREMISES OR BOTH

1(a) Will alcohol be sold for consumption solely ON the premises?	NO
1(b) Will alcohol be sold for consumption solely OFF the premises?	NO
1(c) Will alcohol be sold for consumption both ON and OFF the Premises?	YES
*Delete as appropriate	

**Question 2 AGREED**

STATEMENT OF CORE TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION ON PREMISES.

Day	ON Consumption	
	Opening time	Terminal Hours
Monday	Noon	x0200
Tuesday	Noon	x0200
Wednesday	Noon	x0200
Thursday	Noon	x0200
Friday	Noon	x0300
Saturday	Noon	x0300
Sunday	Noon	x0200

**Question 3 AGREED FOOD LED ONLY**

STATEMENT OF CORE TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION OFF PREMISES.

In conjunction with food delivery or food sales only

Day	OFF Consumption	
	Opening time	Terminal Hours
Monday	Noon	2200
Tuesday	Noon	2200
Wednesday	Noon	2200
Thursday	Noon	2200
Friday	Noon	2200
Saturday	Noon	2200
Sunday	Noon	2200

**Question 4**

SEASONAL VARIATIONS AGREED

Does the applicant intend to operate according to seasonal demand	YES
---	-----

\*if YES – provide details

The premises licence holder will operate all and any general extensions of core hours permitted by Aberdeen City Licensing Board

**Question 5**

PLEASE INDICATE THE OTHER ACTIVITIES OR SERVICES THAT WILL BE PROVIDED ON THE PREMISES IN ADDITION TO SUPPLY OF ALCOHOL.

<b>COL.1 5(a) Activity</b>	<b>COL.2 Please confirm YES/NO</b>	<b>COL.3 To be provided during core licensed hours – please confirm  YES/NO</b>	<b>COL.4 Where activities are also to be provided outwith core licensed hours please confirm  YES/NO</b>
Accommodation	NO	N/A	N/A
Conference facilities	Y	Y	Y
Restaurant facilities	Y	Y	Y
Bar meals	Y	Y	Y
<b>5 (b) Activity Social functions including:</b>	<b>Please confirm YES/NO</b>	<b>To be provided during core licensed hours – please confirm  YES/NO</b>	<b>Where activities are also to be provided outwith core licensed hours please confirm  YES/NO</b>
Receptions including Weddings, funerals, birthdays, retirements etc	Y	Y	Y
Club or other group meetings etc	Y	Y	Y
<b>5(c) Activity Entertainment including:</b>	<b>Please confirm YES/NO</b>	<b>To be provided during core licensed hours – please confirm  YES/NO</b>	<b>Where activities are also to be provided outwith core licensed hours please confirm  YES/NO</b>
Recorded music – see 5(g)	Y	Y	Y

Live performances – see 5(g)	Y	Y	Y
Dance facilities	Y	Y	Y
Theatre	Y	Y	Y
Films	Y	Y	Y
Gaming	Y	Y	N
Indoor/outdoor sports	Y	Y	Y
Televised sport	N		
<b>5 (d) Activity</b>	<b>Please confirm YES/NO</b>	<b>To be provided during core licensed hours – please confirm  YES/NO</b>	<b>Where activities are also to be provided outwith core licensed hours please confirm  YES/NO</b>
Outdoor drinking facilities	N		
<b>5 (e) Activity</b>	<b>Please confirm YES/NO</b>	<b>To be provided during core licensed hours – please confirm  YES/NO</b>	<b>Where activities are also to be provided outwith core licensed hours please confirm  YES/NO</b>
Adult entertainment	N		

Where you have answered YES in respect of any entry in column 4, please provide further details below.

Service of food, teas, coffees, breakfasts, takeaway food, home /office deliveries etc can commence at 0800 and continue through core hours [non alcoholic beverages only to be served outwith core hours]  
takeaway food and non alcoholic beverages can be served until 0300 Sunday - Thursday and 0400 Friday and Saturday and delivery can take place after service  
Background music can be played at all times premises are open  
Conferences, club meetings, receptions etc can commence at 0800 to end of core hours  
Live music, indoor sports, charity events and other events can commence from 0800

5 (f) any other activities

If you proposed to provide any activities other than those lists in 5 (a) – (e) please provide details or further information in the box below.

Breakfasts, teas, coffees, snacks; takeaway food, non alcoholic beverages, and alcoholic beverages [with food only minimum £15.00 food order - alcoholic drink only to be purchased till 10 pm and delivered by midnight], Indian and other nations' cultural events and activities, corporate and charity events, food tastings and food and drink matchings and promotions, food education including cookery displays; Off sales can only be made with food eg takeaway open bottle of wine, purchase of wine by diners, delivery of bottled beers and wine with takeaway food only; indoor sports to be computer games playing

5 (g) Late night premises opening after 1.00am

Where you have confirmed that you are providing live or recorded music, will the decibel level exceed 85db?	NO
When fully occupied, are there likely to be more customers standing than seated?	NO
*Delete as appropriate	

**Question 6 (On-Sales only)**

**CHILDREN AND YOUNG PERSONS**

6(a)	When alcohol is being sold for consumption on the premises will children or young persons be allowed entry?	YES
	*Delete as appropriate	

6(b) Where the answer to 6(a) is YES provide statement of the **TERMS** under which they will be allowed entry.

Children will only be allowed entry to the premises if accompanied by a parent or guardian or other responsible adult (aged 18 and over) when eating within the premises or when attending cultural activities  
 Young persons will only be allowed entry to the premises at the Manager's discretion and only when eating within the premises or when attending cultural activities or playing at computer games event

6 (c) Provide statement regarding the **AGES** of children or young persons to be allowed entry

Birth - 17

- 6 (d) Provide statement regarding the **TIMES** during which children and young persons will be allowed entry.

Accompanied Children and Unaccompanied Young Persons may access the premises until 2300 for the purpose of partaking of food or taking part in a cultural activity  
Unaccompanied young persons may attend premises to take part in computer games event  
Accompanied Children and Accompanied Young Persons may attend a private function until 0100

- 6 (e) Provide statement regarding the **PARTS** of the premises to which children and young persons will be allowed entry.

All public parts of the premises

**Question 7**

**CAPACITY OF PREMISES**

What is the proposed capacity of the premises to which this application relates?

ON SALES TOTAL 142  
WAITING AREA 13 - RESTAURANT 129

**Question 8**

**PREMISES MANAGER (NOTE: not required where application is for grant of provisional premises licence)**

8 (a) Name

Toms Gaidulis

8 (b) Date of birth

2 August 1994



8 (c) Contact address

4d Westburn Road, Aberdeen, AB25 2PX

8 (d) Email address

Date of issue	Name of Licensing Board issuing	Reference no. of personal licence
20 MAY 2019	ABERDEEN CITY	AC5628

**DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICATION**

**If signing on behalf of applicant please state in what capacity.**

The contents of this operating plan are true to the best of my knowledge and belief.

Signature .....  ..... \*(see note below)

Date .....7 OCTOBER 2019

Capacity .....AGENT (delete as appropriate.)

Janet Hood Training and Consulting Limited

SC534109

E: [janethood@me.com](mailto:janethood@me.com) - PLEASE RESPOND TO ME BY EMAIL

A: Kirkton of Balfour, Edzell, Brechin, Angus, DD9 7XU

T: 01356 648966

M: 0771 888 2837

**\* Data Protection Act 1998**

The information on this form may be held on an electronic public register which may be available to members of the public on request.

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## OBJECTION TO APPLICATION FOR VARIATION (MAJOR) OF PREMISES LICENCE

NAMASTE DELHI, 64 BRIDGE STREET, ABERDEEN

REFERENCE: AC827

Our company,

64 Bridge Street, Aberdeen. This property lies adjacent to the application site.

We object to the application which has been submitted on behalf of Namaste Delhi SLR Limited, the Premises Licence holder at 64 Bridge Street, for the Major Variation of the Premises Licence at 64 Bridge Street for the following reasons:

- The proposal does not have planning permission.
- Lack of appropriate space for bins
- Impact on neighbouring occupiers
- Potential for crime and disorder.

We would make the following observations and comments in respect of each of the above matters:

### 1. Planning Permission

- 1.1 In terms of Section 50 of the Licensing Scotland Act 2005, a premises licence application must be accompanied by a planning certificate in respect of the subject premises, confirming that that planning permission in respect of any development of the subject premises in connection with their proposed use as licensed premises has been obtained.
- 1.2 It is clear from Section 50 that the Licensing Board must be satisfied that the appropriate planning permission is in place before the application for a premises licence will be processed. The planning permission process deals with many of the public issues relating to the use of the premises, including the appropriateness of such a use in the specific location. The Board will quite rightly wish to be satisfied that the appropriate planning aspects have been given proper consideration, and approved, prior to any consideration by the Board in relation to the Licensing aspects.
- 1.3 In relation to the subject premises, planning permission was sought in relation to the use of the subject premises as a nightclub in September 2013. The decision notice approving this application was issued on 13 December 2013.
- 1.4 In terms of Section of the Town & Country Planning (Scotland) Act 1997 (inserted by Section 20 of the Planning Etc (Scotland) Act 2006) planning permission lapses on the expiration of a period of 3 years, beginning with the date on which the permission is granted.

- 1.5 The Planning permission granted in December 2013 has not been implemented, and has therefore lapsed. Therefore the subject premises do not have planning permission to be used as a nightclub.
- 1.6 If the owners wished to operate the premises as a nightclub, they would require to reapply for permission, and this would be considered in line with current policies.
- 1.7 Since the planning permission was granted in 2013, a new Local Development Plan has been approved. Different policies may therefore apply in determining any such application, and it is imperative that this is established prior to the Licensing Board taking a decision in relation to the granting of a variation to the Premises Licence to allow for the sale of alcohol in the manner proposed.
- 1.8 The Board is obliged, under Section 30(5) of the 2005 Act, to give consideration to the nature of the activities proposed to be carried on in the subject premises, the location, character and condition of the premises, and the persons likely to frequent the premises when considering any application for variation of the Premises Licence.
- 1.9 The purpose of the Section 50 Certificate on an application for a Premises Licence is to provide the Board with the relevant confirmation that from a planning perspective, these elements have been satisfied.
- 1.10 In the absence of a Section 50 Certificate, and in this situation, where a historic planning consent was never implemented, and has long since lapsed, the Board cannot be satisfied that the location of the subject premises, nor the activities proposed to be carried on, are acceptable or satisfactory from a planning perspective, before the Board is able to give any consideration to these aspects from a licensing perspective.
- 1.11 Whether Section 50 of the 2015 Act applies to a major variation is perhaps open to debate. However Section 17 confirms that a "Premises Licence" means a licence issued by a Licensing Board under section 26(1) or 47(2) authorising the sale of alcohol on the premises. In the present circumstances, the applicant is seeking a variation to the Premises Licence which, if approved, would result in a Premises Licence being issued by the Licensing Board.
- 1.12 If the Board has not received a Section 50 Certificate as part of the application, then can the board be satisfied that the location of the subject premises, nor the activities proposed to be carried on, are acceptable?
- 1.13 Simply because a premises already has a Premises Licence in one form, (perhaps a gift shop selling souvenir alcohol for off sales) should this be sufficient to avoid the requirements for Section 50 Certificates in the event of an application for a major variation of the Premises Licence?
- 1.14 Given the fact that the planning permission for use as a nightclub has long since expired, we would suggest that the Board is unable to approve the variation requested.

## **2 Bins**

- 2.1 The titles to Namaste Delhi include a right of access over the pend and courtyard to the north for the purpose of access to and egress from the premises. They do not include any rights in relation to the storage of bins or any other entitlements.
- 2.2 Notwithstanding that fact, the occupiers of the subject premises store their waste bins within the pend and courtyard, along with other items of general waste, including gas canisters, used cooking fat canisters, scaffolding, waste flooring, and other items. This is often to the detriment, and to the safety risk of other users of the courtyard and pend. The bins for the current premises are often stored directly in front of the fire escape for our client's premises at Bridge House.
- 2.3 We attach photographs taken in the last week showing the waste bin of the Namaste Delhi situated in front of the fire door for Bridge House in addition to all manner of gas canisters, a safe which has been there for over a year despite many promises to remove it, scaffolding and other bins. Namaste Dehli does not own the area they are using next to the fire escape. This belongs solely to Bridge House and is being used as a dumping ground, blocking our fire escapes, again despite multiple requests to move them.
- 2.4 Approving the extension of the permitted hours, to enable to subject premises to operate as a nightclub is only likely to enhance this issue, given the likelihood of increased waste, and increased requirements for the storage of empty bottles and kegs within the pend.
- 2.5 While not necessarily a matter for the licensing Board, it is reasonably foreseeable that the enhanced hours of operation requested, in order to trade as a nightclub, will increase the requirements for waste storage, which increases the risk of public safety, and in particular fire safety to other users of pend, which is a relevant consideration of the Board.

## **3. Impact on neighbouring occupiers**

- 3.1 A further objective of the Licensing Board is the prevention of public nuisance. The Board seeks to maintain and protect the amenity of the surrounding neighbourhoods
- 3.2 The proposed variation of the Premises Licence from a restaurant to a nightclub, together with the extended hours, has the potential to severely impact on neighbouring properties. The proposal to open until 3.00am is at variance with the other three restaurants in the building, which close at either 10.30pm or 11.00pm
- 3.3 One of the other neighbouring occupiers, whose premises open out on to the common pend, is a travel and logistics company which often operates 24 hours a day as a result of offshore requirements. Staff within this property may be concerned at having to negotiate late night revellers, particularly through a dark pend, when accessing their own premises.

- 3.4 Although the surrounding area is generally commercial, the interests of those other commercial occupiers should also be taken into account. Above the subject premises are other restaurants, including the Royal Thai, Saigon and Nazma Tandoori. These premises may be impacted by the noise that is likely to emanate from the ground floor premises if they are to operate as a nightclub, potentially long before customers have finished eating.
- 3.5 Operating as a nightclub until 2am or 3am has the significant likelihood of being detrimental to the ambience of the locality, which, again, contradicts the licensing objective of preventing public nuisance.
- 3.6 The Board acknowledges that that licensed hours and activities must be appropriate for the type of premises and locality, and that the terminal hours indicated in the Supplementary Policy on Licensed Hours are the maximum available and will not be suitable for all premises.

#### **4 Potential for crime and disorder**

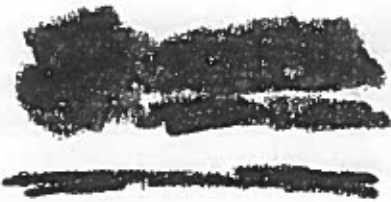
- 4.1 Our clients are concerned with the likelihood of vandalism and damage to their adjacent building, and to any vehicles parked within the courtyard accessed from the common pend, as a result of the proposed variation of Licence.
- 4.2 The Board has expressed their commitment to improving the quality of life for the people of the city by adopting and enforcing policies designed to increase community safety and reduce the threats of crime and disorder.
- 4.3 Amongst the factors to be considered when questioning the risk of crime and disorder are that of anti-social behaviour and vulnerability.
- 4.4 This area of Bridge Street, where late night entertainment is available, is prone to late night vandalism. This can include broken windows to the other businesses fronting on to the street. This is evidenced by the fact that a number of buildings have added metal shutters to protect the front windows. Our client's property at Bridge House has a large area of glass which would be expensive and difficult to install shutters over, or otherwise protect.
- 4.5 Increasing the operating hours of the subject premises to those of a nightclub, would attract additional members of the public to the southern end of Bridge Street, and the extended licensed hours, until 3am at weekends, would result in increased alcohol consumption, and therefore a greater potential for damage to properties on Bridge Street. While this could be said of any late night premises, Bridge Street in particular has a record of late night damage.
- 4.6 There are also issues with the large red doors which protect the pend and courtyard being opened by the current occupiers of the subject premises in the evenings and weekends, during its current opening hours, and left open. This not only creates a security issue generally for the area as described but when not closed at night the



1. Photograph of bin serving Namaste Delhi blocking the fire exit from Bridge House. Up to 175 people require to egress this area in an emergency







3) The deeds state that nothing is to be left standing in the pend or courtyard. The Bridge House car park is to the right of this picture. Our use of this is being impeded as we have great difficulty reversing out and negotiating the many canisters, oil containers and bins.

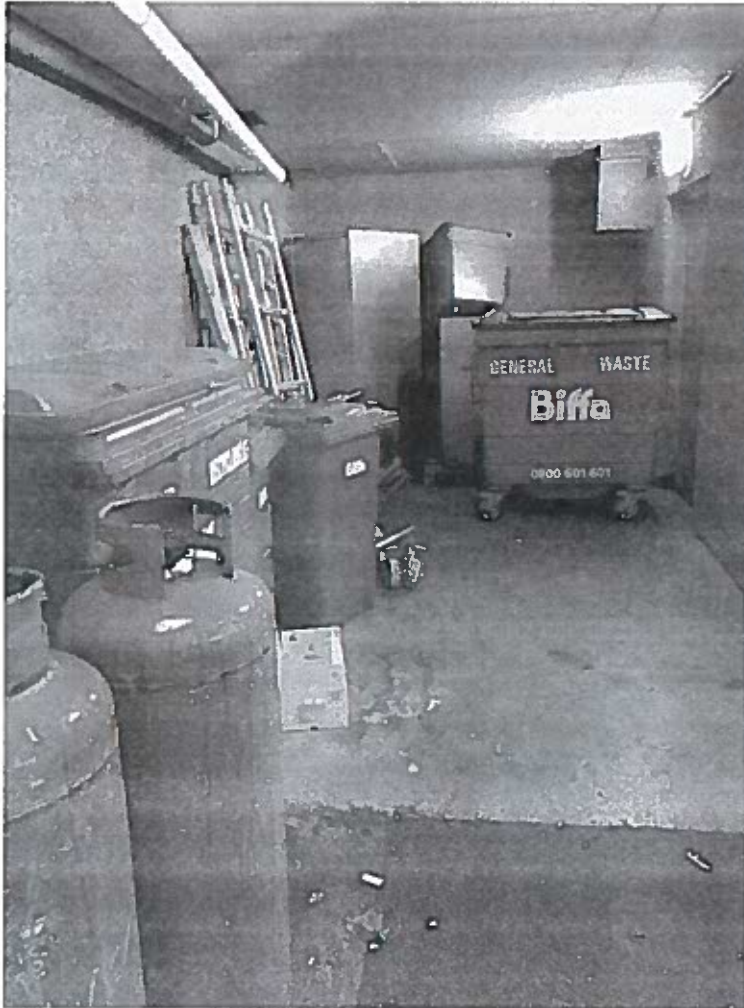


Namaste Dehli side Fire Escape into Courtyard.





2) Photograph of the area being used as a bin and rubbish store by Namaste Dehli on land that does not belong to them. This area is owned in its entirety by Bridge House. The line of concrete denotes where the courtyard finishes and Bridge House property starts. Blocked fire escape on right.



X



## OBJECTION TO APPLICATION FOR VARIATION (MAJOR) OF PREMISES LICENCE

**NAMASTE DELHI, 64 BRIDGE STREET, ABERDEEN**

**REFERENCE: AC827**

We act for ██████████, which is the property company responsible for the management of Bridge House, ██████████ Aberdeen. This property lies adjacent to the application site.

Our client objects to the application which has been submitted on behalf of Namaste Delhi SLR Limited, the Premises Licence holder at 64 Bridge Street, for the Major Variation of the Premises Licence at 64 Bridge Street for the following reasons:

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- 3.4 Although the surrounding area is generally commercial, the interests of those other commercial occupiers should also be taken into account. Above the subject premises are other restaurants, including the Royal Thai, Saigon and Nazma Tandoori. These premises may be impacted by the noise that is likely to emanate from the ground floor premises if they are to operate as a nightclub, potentially long before customers have finished eating.
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#### **4 Potential for crime and disorder**

- 4.1 Our clients are concerned with the likelihood of vandalism and damage to their adjacent building, and to any vehicles parked within the courtyard accessed from the common pend, as a result of the proposed variation of Licence.
- 4.2 The Board has expressed their commitment to improving the quality of life for the people of the city by adopting and enforcing policies designed to increase community safety and reduce the threats of crime and disorder.
- 4.3 Amongst the factors to be considered when questioning the risk of crime and disorder are that of anti-social behaviour and vulnerability.
- 4.4 This area of Bridge Street, where late night entertainment is available, is prone to late night vandalism. This can include broken windows to the other businesses fronting on to the street. This is evidenced by the fact that a number of buildings have added metal shutters to protect the front windows. Our client's property at Bridge House has a large area of glass which would be expensive and difficult to install shutters over, or otherwise protect.
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- 4.6 There are also issues with the large red doors which protect the pend and courtyard being opened by the current occupiers of the subject premises in the evenings and weekends, during its current opening hours, and left open. This not only creates a security issue generally for the area as described but when not closed at night the courtyard suffers constantly from members of the public using the area to urinate, defecate, vomit, drop cans and bottles or otherwise loiter in the area.
- 4.7 In terms of vulnerability, our comments reflect those already made in relation to the use of the pend to the north of the Premises, as a location for smokers, or other clientele of the subject premises. The pend and courtyard are unlit and entirely unsuitable for congregating club-goers, or for individuals who may find themselves vulnerable in a dark alleyway on their own.
- 4.8 We would also highlight the potential for damage to vehicles by those accessing the subject premises to and from the pend and courtyard, whether as smokers, or if that is to be used as an entrance to the club. The potential for people spilling out in to a courtyard of this nature, in varying levels of intoxication, clearly puts vehicles at risk, as well as other users of the pend and courtyard.

#### **5. Determination**

- 5.1 The present Application for Variation of the Premises Licence is a Major Variation. Section 30 of the 2005 Act states that the Licensing Board must hold a hearing for the purpose of considering and determining the application,

and must consider whether any of the grounds for refusal applies. If any of the grounds for refusal apply, the Board must refuse the application.

- 5.2 If the Licensing Board considers that the granting of the application would be inconsistent with one or more of the licensing objectives the application must be refused
- 5.3 If the Licensing Board considers that the location, character and condition of the premises means that the premises are unsuitable for use for the sale of alcohol in accordance with the proposed variation, then again, the Board must refuse the application.
- 5.4 It is therefore for the Board to consider whether the proposed variation to the premises, when taken against the points highlighted above, would result in the premises being unsuitable for the late night sale of alcohol and operation as a nightclub.

#### Conclusion

- 6.1 Against the above background we would therefore respectfully request that the application is refused.

[REDACTED]

1. Photograph of bin serving Namaste Delhi blocking the fire exit from Bridge House.







*18<sup>th</sup> December 2019*

*Legal Services  
Governance  
Aberdeen City Council  
Business Hub 6 L1S  
Marischal College  
Aberdeen  
AB10 1AB*

*Dear Sir/Madam*

*Aberdeen City Licensing Board  
Licensing (Scotland) ACT 2005  
Application for Variation (Major)  
Premises – Namaste Delhi, 64 Bridge Street, Aberdeen, AB11 6JN*

*In reply to your letter dated 26<sup>th</sup> November 2019 regarding the above mention Restaurant requesting major changes to the Licensing (Scotland) Act 2005.*

*Please find listed below are objections to the variations requested:-*

*Objection to opening hours:-*

*Sunday to Thursday 23.00 to 02.00  
Friday and Saturday 23.00 to 03.00*

*The reason being an over provision for the area as there are many existing premises who have late night Licensing in the immediate vicinity.*

*Continued*

*Residential property is located nearby, late night license etc., would be detrimental to the peace of the area. Increase of traffic that the proposal would bring in would affect the roads infrastructure to support the extra traffic (the property is located in a very busy junction and a pedestrian crossing is located in front of the property, the increase in traffic may prejudice road safety).*

*The introduction of games and gambling is like an attempt to circumvent the requirement of a casino license.*

*Objection to Noise issues:-*

*An Incident occurred in the past where our customers complained of the noise that was coming from the Restaurant below and unfortunately we had to involve the police and we feel should you grant facilities to allow social functions, live performances, indoor/outdoor sports during and outwith core licensed hours would be detrimental to our Restaurant ie loss of business. When we have adverse weather conditions the customers of said restaurant tend to use the entry of our restaurant as a designated smoking area.*

*28/05/2012*

*Should you have any question relating to this letter please do not hesitate to contact me.*

*Yours sincerely*



*Director*

*[Redacted contact information]*  
*[Redacted contact information]*  
*[Redacted contact information]*

## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** VARIATION OF PREMISES LICENCE

**PREMISES:** THE TUNNELS, CARNEGIES BRAE, ABERDEEN

### BACKGROUND

- Variation to on sales consumption opening hour from 18:00 to 13:00 on Monday to Thursday.
- On sales consumption opening hour from 12:00 to 14:00 on Friday and Saturday.
- On sales consumption opening hour from 12:30 to 13:00 on Sunday.

### OBJECTIONS/REPRESENTATIONS

- None

### POLICY

N/A

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**ABERDEEN CITY LICENSING BOARD**  
**APPLICATION FOR VARIATION OF PREMISES LICENCE**

Licensing (Scotland) Act 2005, section 29/31

Complete all sections of the application form.

**SECTION 1 - TYPE OF VARIATION**

Tick one box only

Is the application for a variation in terms of section 29 (5)?  See note 1

Is the application for a minor variation in terms of section 29 (6)?  See note 2

**SECTION 2 - APPLICANT INFORMATION**

a) Name, address and postcode of premises

<b>Name of premises</b>	THE TUNNELS
<b>Address of premises (including postcode)</b>	CARNEGIES BRAE, ABERDEEN AB10 1BF

b) Particulars of premises licence holder

<b>Name of premises licence holder</b>	ABERDEEN MUSIC AND COLLECTABLES LTD
<b>Address (including postcode)</b>	19 FORTHILL TERRACE, ABERDEEN AB11 7UR

c) Premises Licence

<b>I have enclosed the premises Licence</b>	YES <input type="checkbox"/>	NO* <input checked="" type="checkbox"/>
<b>*If No please provide reason(s) for failure to produce the premises licence</b>		
LICENCE LOST. POLICE SCOTLAND LOST REFERENCE NUMBER - 20/9011669		

**SECTION 3 - DETAILS OF VARIATION**

a) Is the variation to any local condition(s)? YES  NO

If YES, describe below which condition(s) is to be varied and the variation sought

b) Is the variation to the Operating Plan? YES  NO

If YES attach to this application the proposed operating plan and describe below the variation sought – continue on a separate page if necessary.

*Amendments to on sales opening times  
as per question 2 in the draft operating  
plan*

c) Is the variation to the layout plan? YES  NO

If YES, submit 6 copies of the proposed plan and describe below the variation sought – continue on a separate page if necessary.

- d) Do you propose to vary any other information contained or referred to in the licence, including any addition, deletion or other modification? YES  NO

If YES please provide details below.

- e) Do you propose to vary the information contained in the licence relating to the details of the current premises manager? (e.g. Change of address) YES  NO

If YES please provide details below.

- f) Are you intimating the substitution of a new premises Manager? YES  NO

Please provide details below:

- (i) Name of proposed premises manager

- (ii) Date of birth of proposed premises manager

- (iii) Postal address of proposed premises manager

(iv) Email address and telephone number of proposed premises manager

--

(v) Personal licence details of proposed premises manager

Date of issue	Name of Licensing Board issuing	Reference no. of personal licence

Please note that the holder of a Personal Licence may only be named as the Premises Manager of one premises in Scotland at any time subject to Article 4 of the Licensing (Vessels etc.) (Scotland) Regulations 2007.

**DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT**

If signing on behalf of the applicant please state in what capacity.

The contents of this Application are true to the best of my knowledge and belief.

Signature  Print Name ANTHONY JAMES DAWSON \* (see note below)

Date 1.10.19

Capacity:  APPLICANT /  AGENT (delete as appropriate)

Telephone number and email address of signatory 01224 581581  
a.dawson@jgc.co.uk

Postal Address of Agent (if appropriate) 1 LEAT CRAIBSTONE  
STREET, ABERDEEN AB11 6TK

<b>I have enclosed the relevant documents with this application – please tick the relevant boxes</b>	
Application Fee	<input checked="" type="checkbox"/>
Premises Licence	<input type="checkbox"/>
Operating plan (If appropriate)	<input type="checkbox"/>
Layout plan (if appropriate)	<input type="checkbox"/>
Draft Operating Plan (if appropriate)	<input checked="" type="checkbox"/>
Amended Layout plan (if appropriate)	<input type="checkbox"/>



\* Data Protection Act 1998

The information on this form may be held on an electronic public register which may be available to members of the public on request.

<b><u>For use by the Licensing Board only</u></b>	
<b>Application checklist</b>	
<b>Date received</b>	
<b>Fee amount</b>	
<b>Receipt number</b>	
<b>Received by (INITIALS)</b>	
<b>Consideration date</b>	
<b>Last date for consideration</b>	
<b>Date of initial hearing</b>	
<b>Date of any modification hearing</b>	
<b>Date granted/refused (delete as appropriate)</b>	

**LICENSING (SCOTLAND) ACT 2005**  
**Application for Variation of a Premises Licence**  
**Guidance Notes**

**Note 1:**

A variation, in relation to a premises licences, means any variation of

- (a) any of the conditions to which the licence is subject (other than mandatory conditions)
- (b) any of the information contained in the operating plan,
- (c) the layout plan contained in the licence, or
- (d) any other information contained or referred to in the licence,

and includes an addition, deletion or other modification.

**Note 2**

A minor variation:

- (a) means a variation of the layout plan, if the variation does not result in any inconsistency with the operating plan
- (b) relates to a restriction of the terms on which children or young persons are allowed entry to the premises,
- (c) any variation of the information contained in the licence relating to the premises manager (including a variation so as to substitute a new premises manager),

**Fees**

The fee payable in respect of an application under section 29(1) of the Act is–

- (a) £31 if the application is one to substitute the premises manager and any other variation sought in the application is a minor variation;
- (b) £20 if the application seeks only a minor variation or variations and does not fall within paragraph (a) above.
- (2) The fee payable in respect of any other application under section 29(1) of the Act is £150.

G:\Apps\Liquor Application Forms\APPLICATION FOR VARIATION TO A PREMISES LICENCE.doc

## OPERATING PLAN

Licensing (Scotland) Act 2005, section 20(2)(b)(i)

### Question 1

STATEMENT REGARDING ALCOHOL BEING SOLD ON PREMISES/OFF PREMISES OR BOTH

1(a) Will alcohol be sold for consumption solely ON the premises?	YES/ <del>NO</del>
1(b) Will alcohol be sold for consumption solely OFF the premises?	<del>YES</del> /NO*
1(c) Will alcohol be sold for consumption both ON and OFF the Premises?	<del>YES</del> /NO*
*Delete as appropriate	

### Question 2

STATEMENT OF CORE TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION ON PREMISES.

Day	ON Consumption	
	Opening time	Terminal Hours
Monday	13 00	02 00
Tuesday	13 00	0 2 00
Wednesday	13 00	02 00
Thursday	13 00	02 00
Friday	14 00	0 3 00
Saturday	14 00	0 3 00
Sunday	13 00	0 2 00

**Question 3**

STATEMENT OF CORE TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION OFF PREMISES

Day	OFF Consumption	
	Opening time	Terminal hour
Monday	N/A	N/A
Tuesday	N/A	N/A
Wednesday	N/A	N/A
Thursday	N/A	N/A
Friday	N/A	N/A
Saturday	N/A	N/A
Sunday	N/A	N/A

**Question 4**

SEASONAL VARIATIONS

Does the applicant intend to operate according to seasonal demand	No
---	----

\*If YES – provide details

--

**Question 5**

PLEASE INDICATE THE OTHER ACTIVITIES OR SERVICES THAT WILL BE PROVIDED ON THE PREMISES IN ADDITION TO SUPPLY OF ALCOHOL

<b>5(a) Activity</b>	<b>Please confirm YES/NO</b>	<b>To be provided during core licensed hours – please confirm YES/NO</b>	<b>Where activities are also to be provided <u>outwith</u> core licensed hours please confirm YES/NO</b>
Accommodation	N	N/A	N/A
Conference facilities	N	N/A	N/A
Restaurant facilities	N	N/A	N/A
Bar meals	Y	Y	N
<b>5(b) Activity Social functions including:</b>	<b>Please confirm YES/NO</b>	<b>To be provided during core licensed hours – please confirm YES/NO</b>	<b>Where activities are also to be provided <u>outwith</u> core licensed hours please confirm YES/NO</b>
Receptions including (Weddings funerals,, birthdays, retirements etc)	Y	Y	N
Club or other group meetings etc	Y	Y	N
<b>5(c) Activity Entertainment including:</b>	<b>Please confirm YES/NO</b>	<b>To be provided during core licensed hours – please confirm YES/NO</b>	<b>Where activities are also to be provided <u>outwith</u> core licensed hours please confirm YES/NO</b>
Music – see 5(g)	Y	Y	N
Live performances – see 5(g)	Y	Y	N
Dance facilities – see 5(g)	Y	Y	N

Theatre	Y	Y	N
Films	N	N	N
Gaming	N	N	N
Indoor/outdoor sports	N	N	N
Televised sport	N	N	N
<b>5(d) Activity</b>	<b>Please confirm YES/NO</b>	<b>To be provided during core licensed hours – please confirm YES/NO</b>	<b>Where activities are also to be provided outwith core licensed hours please confirm YES/NO</b>
Outdoor drinking facilities	N	N	N
<b>5(e) Activity</b>	<b>Please confirm YES/NO</b>	<b>To be provided during core licensed hours – please confirm YES/NO</b>	<b>Where activities are also to be provided outwith core licensed hours please confirm YES/NO</b>
Adult entertainment – see 5(g)	N	N	N

Where you have answered YES in respect of any entry in column 4 above, please provide further details below.

5(f) any other activities

If you propose to provide any activities other than those listed in 5(a) – (e) please provide details or further information in the box below.

Exhibitions, talks and lectures, fundraising and charity events, theatrical events, comedy.

Christmas and New Year extended hours as the Licensing Board permits.

5(g) Late night premises opening after 01:00.

Where you have confirmed that you are providing either live or recorded music, dancing or adult entertainment, any combination of these or all please provide the following details

Will the music level exceed 85dB?	Yes
When fully occupied, are there likely to be more customers standing than seated?	Yes
*Delete as appropriate	

**Question 6 (On-sales only)**

**CHILDREN AND YOUNG PERSONS**

6(a)	When alcohol is being sold for consumption on the premises will children or young persons be allowed entry	Yes
	*Delete as appropriate	
6(b)	Where the answer to 6(a) is YES provide statement of the <b>TERMS</b> under which they will be allowed entry	
When attending for a live music gig, subject to check of ID. To be accompanied by adult. Also if attending a private function.  Unaccompanied at under 18 events when alcoholic drinks are not to be sold.		
6(c)	Provide statement regarding the <b>AGES</b> of children or young persons to be allowed entry	
Over 14s only.		
6(d)	Provide statement regarding the <b>TIMES</b> during which children and young persons will be allowed entry	
Up to 22:30 unless attending a private function when they are permitted to stay until close of function.		
6(e)	Provide statement regarding the <b>PARTS</b> of the premises to which children and young persons will be allowed entry	
The two live music rooms.		

**Question 7**

**CAPACITY OF PREMISES**

**What is the proposed capacity of the premises to which this application relates?**

On Sales - 377

**Question 8**

**PREMISES MANAGER (NOTE: not required where application is for grant of provisional premises licence)**

Personal details

8(a) Name

James Sandison

8(b) Date of birth

22 September 1951

8(c) Contact address

119 Clifton Road  
Aberdeen  
AB24 4RH

8(d) Email address

jsthetunnels@btinternet.com

8(e) Personal licence

<b>Date of issue</b>	<b>Name of Licensing Board issuing</b>	<b>Reference no. of personal licence</b>
1 September 2009	Aberdeen City	AC1500



## LICENSING BOARD INFORMATION SHEET

### REVIEW OF PREMISES LICENCE

**PREMISES:** AMBAL'S RESTAURANT, 4 BRIDGE STREET, ABERDEEN

#### BACKGROUND

- The annual fee was due to be paid by 1 October 2019, to date the fee is still outstanding

#### OBJECTIONS/REPRESENTATIONS

- LSO

#### Powers on Review

The Board may, if satisfied that a ground of review is established, take the following steps as it considers necessary or appropriate

- a) issue a written warning to the licence holder
- b) vary the licence
- c) suspend the licence for such period as the Board may determine
- d) revoke the licence

if the Board varies the licence the variation may apply for a period to be determined by the Board.

Where a Board has varied or suspended a licence, the Board may

- a) on application of the licence holder, and
- b) if satisfied that, because of a change of circumstances, the variation or suspension is no longer necessary,  
revoke the variation or suspension

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## **Non-payment of Annual fee review – Ambal’s Restaurant, 4 Bridge Street**

I refer to Section 38 (4) (a) of the Licensing (Scotland ) Act 2005 in terms of the Premises Licence Review

The Licensing Standards Officers were made aware in November 2019 that the licence holder had not paid the annual fee for the above premises.

This is a breach of section 10 (2) of the mandatory conditions attached to the premises licence – Payment of Annual or Recurring Fees

The restaurant has been closed for a considerable period and, after speaking to a former manager at the restaurant, I was advised that the restaurant is permanently closed and is in fact going to be developed into residential accommodation. This has been confirmed as per the link below

<https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PING8NBZJ6A00>

The licence holder company Viceroy restaurants (aberdeen) ltd SC228647 was dissolved 24 May 2016 and the director, Gabriele Gabbriellini is now deceased ( 7 December 2019).

The Licensing Standards Officer has no other options regarding resolving this issue and has exhausted all known avenues.

Licensing Standards Officer  
Aberdeen City Council | Commercial Team | Operations and Protective Services | Operations |  
Marischal College | 3rd Floor South | Broad Street | Aberdeen | AB10 1AB

Direct Dial: 01224 522541

[www.aberdeencity.gov.uk](http://www.aberdeencity.gov.uk) | Twitter: @AberdeenCC | Facebook.com/AberdeenCC

Privacy notices regarding how we use personal information can be accessed at:  
<https://www.aberdeencity.gov.uk/your-data/privacy-notices>

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## LICENSING BOARD INFORMATION SHEET

### REVIEW OF PREMISES LICENCE

**PREMISES:** JIMMY CHUNG'S RESTAURANT, BEACH ESPLANADE, ABERDEEN

#### BACKGROUND

- The annual fee was due to be paid by 1 October 2019, to date the fee is still outstanding
- The building in which the premises was located has been demolished and rebuilt to a different specification.
- The premises to which the licence relates therefore no longer exists.

#### Powers on Review

The Board may, if satisfied that a ground of review is established, take the following steps as it considers necessary or appropriate

- a) issue a written warning to the licence holder
- b) vary the licence
- c) suspend the licence for such period as the Board may determine
- d) revoke the licence

if the Board varies the licence the variation may apply for a period to be determined by the Board.

Where a Board has varied or suspended a licence, the Board may

- a) on application of the licence holder, and
- b) if satisfied that, because of a change of circumstances, the variation or suspension is no longer necessary,  
revoke the variation or suspension

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## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** PERSONAL LICENCE APPLICATION

### BACKGROUND

- Hearing deferred from Board Meeting on 5 November 2019

### OBJECTIONS/REPRESENTATIONS

- Police Scotland

### DETERMINATION

- (a) The Board if it is satisfied that it is necessary to do so for the purposes of any of the licensing objections refuse the application or
- (b) If not so satisfied, grant the application.

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## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** PERSONAL LICENCE APPLICATION

### OBJECTIONS/REPRESENTATIONS

- Police Scotland

### DETERMINATION

- (a) The Board if it is satisfied that it is necessary to do so for the purposes of any of the licensing objections refuse the application or
- (b) If not so satisfied, grant the application.

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## LICENSING BOARD INFORMATION SHEET

**TYPE OF APPLICATION:** PERSONAL LICENCE APPLICATION

### OBJECTIONS/REPRESENTATIONS

- Police Scotland

### DETERMINATION

- (a) The Board if it is satisfied that it is necessary to do so for the purposes of any of the licensing objections refuse the application or
- (b) If not so satisfied, grant the application.

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## LICENSING BOARD INFORMATION SHEET

### NOTICE OF CONVICTION LICENCE HOLDER

#### BACKGROUND

- Held licence since 15 November 2017
- Hearing deferred from Board Meeting on 5 November 2019

#### OBJECTIONS/REPRESENTATIONS

- Police Scotland

#### DETERMINATION

- After having regard to the report and any recommendation contained in the Chief Constable's notice,

and after giving the licence holder and the chief constable an opportunity to be heard, and if satisfied that is necessary to do so for the purposes of any of the licensing objections make an order.

That order is an order –

- a) Revoking
- b) Suspending for such period, not exceeding 6 months as the Board considers appropriate, or
- c) Endorsing,

The personal licence held by the licence holder concerned.

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## LICENSING BOARD INFORMATION SHEET

### NOTICE OF CONVICTION LICENCE HOLDER

#### BACKGROUND

- Held licence since 25 April 2018

#### OBJECTIONS/REPRESENTATIONS

- Police Scotland

#### DETERMINATION

- After having regard to the report and any recommendation contained in the Chief Constable's notice,

and after giving the licence holder and the chief constable an opportunity to be heard, and if satisfied that is necessary to do so for the purposes of any of the licensing objections make an order.

That order is an order –

- a) Revoking
- b) Suspending for such period, not exceeding 6 months as the Board considers appropriate, or
- c) Endorsing,

The personal licence held by the licence holder concerned.

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## LICENSING BOARD INFORMATION SHEET

### NOTICE OF CONVICTION LICENCE HOLDER

#### BACKGROUND

- Held licence since 11 November 2009

#### OBJECTIONS/REPRESENTATIONS

- Police Scotland

#### DETERMINATION

- After having regard to the conviction and any recommendation contained in the Chief Constable's notice,

and after giving the licence holder and the chief constable an opportunity to be heard, and if satisfied that is necessary to do so for the purposes of any of the licensing objections make an order.

That order is an order –

- a) Revoking
- b) Suspending for such period, not exceeding 6 months as the Board considers appropriate, or
- c) Endorsing,

The personal licence held by the licence holder concerned.

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## LICENSING BOARD INFORMATION SHEET

### NOTICE OF CONVICTION LICENCE HOLDER

#### BACKGROUND

- Held licence since 28 November 2017

#### OBJECTIONS/REPRESENTATIONS

- Police Scotland

#### DETERMINATION

- After having regard to the conviction and any recommendation contained in the Chief Constable's notice,

and after giving the licence holder and the chief constable an opportunity to be heard, and if satisfied that is necessary to do so for the purposes of any of the licensing objections make an order.

That order is an order –

- a) Revoking
- b) Suspending for such period, not exceeding 6 months as the Board considers appropriate, or
- c) Endorsing,

The personal licence held by the licence holder concerned.

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## LICENSING BOARD INFORMATION SHEET

### NOTICE OF CONVICTION LICENCE HOLDER

#### BACKGROUND

- Held licence since 28 November 2017

#### OBJECTIONS/REPRESENTATIONS

- Police Scotland

#### DETERMINATION

- After having regard to the conviction and any recommendation contained in the Chief Constable's notice,

and after giving the licence holder and the chief constable an opportunity to be heard, and if satisfied that is necessary to do so for the purposes of any of the licensing objections make an order.

That order is an order –

- a) Revoking
- b) Suspending for such period, not exceeding 6 months as the Board considers appropriate, or
- c) Endorsing,

The personal licence held by the licence holder concerned.

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## LICENSING BOARD INFORMATION SHEET

### GENERAL EXTENSION CONSULTATION

#### BACKGROUND

In terms of the Board's Policy Statement a consultation exercise is undertaken at the end of each year to seek suggestions for dates that might be suitable for the grant of a General Extension. The following wording was circulated via e-mail and social media:

The Board are seeking to gauge opinion on dates in 2020 that may be suitable for the grant of a general extension for events of a local or national significance. This would include potential dates within the festive period as well as other significant dates throughout the year. Please send any suggestions to [licensing@aberdeencity.gov.uk](mailto:licensing@aberdeencity.gov.uk) by Friday 10 January 2020 together with a note of the reasons that suggested dates would be appropriate.

Traditionally the extension has been that of one additional hour to all on-sales premises whose standard hours conform to the Board's maximum daily trading period. Please clarify if you think this should continue to be the case or if you think the extension should be granted in a different manner when suggesting potential dates for consideration.

A copy of the responses received are enclosed for the Board's consideration.

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## General Extension Consultation Response

### Response 1

Good ~Morning

I hope you are well after the festive period.

So, I have a couple of dates where I think the extension could be good.

Can we please have an extension on Christmas Eve please. This is probably the second busiest day of the year at Murdos and normally the community round about us are busy as well. This year we had to stop at 12 midnight this year and a lot of our regular custom were disappointed as for the last few years we have opened till one.

Also, can we please look at the dates of March 26<sup>th</sup> and March 31<sup>st</sup> to have an extra hour on both these nights as Scotland has the chance of joining England, Wales, Northern Ireland and republic of Ireland at Euro 2020. This would be the first time in 22 years that this would have happened. These are on a Thursday and Tuesday nights, and I know there is about 30 of my customers already either booked holidays or taken the next day off in preparation for this.

In addition, if Scotland do qualify then 23<sup>rd</sup> June would be a great game to have an extra hour for as it maybe then Scotland could qualify for the 2<sup>nd</sup> round.

You will be glad to know that this al that I have!

Best regards

David McNair  
General Manager  
Murdos

### Response 2

Good afternoon. My name is simon Cruickshank owner and premises manager of the ploughman peterculter and owner of Richmond arms peterculter. There used to be a policy in place years ago that for the Xmas fortnight all pubs could stay open till 1 am which covered everything and worked very well. Xmas eve is my busiest day of the year and I really need to open till at least 1 am. I never realised until too late that I could have applied for a 1 am. You have in all previous years had 1 am for Xmas and Hogmanay which was incorporated in my operating plan. Thanks very much and hope you will take my points on board. Thanks, simon

### Response 3

Name: JP McGivney  
Venues: Unit 51 - Underground - Bridge Street Social Club

Although some general extensions are welcome i would say 90% are out of date for the current market place and go unused by almost every venue.

The below dates are KEY trading dates for 99.9% of city centre bars and clubs.

I have listed them in importance of operators

#### KEY DATES 2020

1. HALLOWEEN - SATURDAY 31ST OCTOBER
2. MAYDAY SUNDAY 3RD MAY - Now with no bank holiday Monday this year maybe not as important BUT in future years 100%
3. FRESHERS WEEK - MONDAY 31ST AUG - SUNDAY 13TH SEPT - These dates for would be USED unlike the unwanted hours at Christmas - What makes the board think WE or our WORKERS want to work until 4am on Boxing night?
4. ST PATRICKS - TUESDAY 17TH MARCH
5. NYE - THURSDAY 31ST DECEMBER

Now other date EG Superbowl which we apply for every year can still be applied, its same for other venues individual important dates can be applied for BUT the date above are what we call EVERGREEN these are our KEY sessions.

\*\*\* Applications MUST have quicker responses YES or NO because we are planning for events and running a BUSINESS.

Thank You for taking the time to take our views on board.

Best Regards  
JP McGivney

#### Response 4

Two possible dates where the public may wish to celebrate are the 75th anniversaries of VE Day (8th May - declared a public holiday this year) and VJ Day (15th August and often forgotten). It may well be that a licensing extension would not be relevant.

Regards,

Peter Roberts  
Secretary Cults Bielside and Milltimber Community Council

#### Response 5

Hi there,

Please find below dates that our Senior Management have decided upon as notable dates for general extensions to be granted for 2020:

Sunday 3rd May - May Day

Saturday 31st October - Halloween

Friday 4th December\*  
Saturday 5th December\*  
Friday 11th December\*  
Saturday 12th December\*  
Friday 18th December\*

Saturday 19th December\*

\*busy weekend nights within December

Thursday 24th December - Xmas Eve

Saturday 26th December - Boxing Day

Thursday 31st December - Hogmanay

Please do not hesitate to get back in touch should you have any questions or require any other information.

Kind Regards

Sarah Wheeler  
General Manager

Soul Bar

### Response 6

Good afternoon,

We have been instructed by Stonegate Pub Co Ltd ("Stonegate"), to respond to the email below and apologise that these remarks are being sent late due to an IT glitch on Friday. We would be grateful if they could still be considered.

Stonegate are a British pub company who operate over 690 pubs and bars across the UK, 7 of which are in Aberdeen. They operate a wide variety of bars; from small community pubs to large late-night venues.

On a number of their licences automatic extensions are included for the undernoted dates and they would be grateful if the Board would consider these dates for the Aberdeen general direction.

- *Burns Night*
- *Valentine's Day*
- *St David's*
- *St Patricks*
- *Maundy Thursday*
- *Good Friday*
- *Easter Sunday*
- *Easter Monday*
- *Early May BH Monday*
- *Spring BH Monday*
- *Summer BH Monday*
- *St Andrews*
- *Christmas Eve*
- *Christmas Day*
- *Boxing Day*

- NYE
- NYD
- 2<sup>nd</sup> January

All of these dates represent times where the trade is busier than usual, and it is in our clients' opinion that it is reasonable to cater to this demand with additional hours.

In particular they would like to draw your attention to Christmas Eve which was not included in last year's extensions. This is a date, particularly with the community pubs outside of the city, which is very popular and many clients, including Stonegate, were surprised not to see it included last year.

A number of Stonegate licences also have a condition which states that the premises will benefit from *'an additional 30 mins or one hour before the start of events of national or international significance and 30 mins or one hour after the event has ended'*. We appreciate this may be difficult to implement as there is no defined list of events of national or international significance, but it could be that the direction each year takes into account sporting or other events in the forthcoming year and includes automatic extensions for any they consider to be relevant.

Stonegate have no issue with the current approach of granting extensions for those who conform to the Policy.

Kind regards

Audrey

**Audrey Junner**  
**Partner**

### **Response 7**

Only general extension is the May Day one

Haven't used any other ones in years gone by

Thanks

Stuart McPhee

Director  
Siberia Bar & Hotel